<u>Committee Name</u>: Joint Committee – Finance (JC–Fi)

Appointments

99hr_JC-Fi_Appt_pt00

Committee Hearings

99hr_JC-Fi_CH_pt00

Committee Reports

99hr_JC-Fi_CR_pt00

Clearinghouse Rules

99hr_JC-Fi_CRule_99-

Executive Sessions

99hr_JC-Fi_ES_pt00

Hearing Records

99hr_ab0000

99hr_sb0000

Misc.

99hr_JC-Fi__Misc__s.13.10_pt12c6

Record of Committee Proceedings

99hr_JC-Fi_RCP_pt00

STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION 101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON GOVERNOR

GEORGE LIGHTBOURN SECRETARY



Division of Administrative Services State Prosecutors Office Post Office Box 7869 Madison, WI 53707-7869 Voice (608) 267-2700 Fax (608) 264-9500 TTY (608) 267-9629 stuart.morse@doa.state.wi.us

February 28, 2000

The Honorable Brian Burke
The Honorable John Gard
Co-Chairs, Joint Committee on Finance
411 South State Capitol
Madison, WI 53703

Dear Senator Burke and Representative Gard:

more

Pursuant to ss. 978.04 and 13.10, the Department of Administration requests the transfer of 0.2 GPR FTE assistant district attorney position from the Rusk County District Attorney's Office to the Adams County District Attorney's Office. Both elected District Attorneys, both County Boards and the assistant DA who would lose 0.2 FTE have agreed to this transfer per the attached documents. In additions, the Wisconsin District Attorneys Association also supports this transfer.

If you have any questions on this matter, please contact me at 267-2700.

Sincerely,

Stuart Morse

Director

State Prosecutors Office

Attachments

District Attorney s.13.10 request February 25, 2000 Page 1

Request

On behalf of the Rusk County District Attorney's office and the Adams County District Attorney's office, the Department of Administration (DOA) is submitting a request under s.13.10 to transfer 0.2 GPR FTE assistant district attorney (ADA) position from the Rusk County District Attorney's office to the Adams County District Attorney's office. The request is made under s.13.101(3).

In accordance with s. 978.11, DOA is forwarding the request to you. The district attorneys request that the position transfer become effective on January 1, 2001. This is the beginning of the new term of office for district attorneys and corresponds to the effective date of the increase in the FTE of the Rusk County elected district attorney from 0.8 FTE to 1.0 as a result of Section 3207r of 1999 Wisconsin Act 9 (the 1999-2001 state budget act).

Background

The Legislature in the 2000 - 2001 budget authorized the elected district attorney for Rusk County to become a full-time position at the start of the district attorneys 2002 - 2003 term of office. Currently, the elected Rusk County district attorney is a 0.8 GPR FTE position. The Rusk County DA office also has a 0.7 GPR FTE ADA position. This position was unchanged by the 1999-2001 budget.

The person who holds the ADA position is also employed by Rusk County as its 0.3 FTE corporation counsel. The Rusk County Board of Supervisors, the Rusk County elected DA and the Rusk County ADA have reached an agreement under which the Rusk County DA has petitioned the Department of Administration to reduce the ADA position to 0.5 GPR FTE effective on January 1, 2001 so as to permit Rusk County to increase the employment of its corporation counsel from 0.3 FTE to 0.5 FTE. The DA and ADA have agreed in writing to this change in status. The Rusk County Board has passed a resolution in support of this action. All documents in support are attached.

DOA requested that the Wisconsin District Attorneys Association (WDAA) advise it as to which district attorney office should receive the additional 0.2 GPR FTE. DOA and the WDAA jointly sent information to all DA offices indicating that any who wished to be considered to receive the additional FTE should submit an application stating their reasons. The WDAA Ad Hoc Allocation Committee then examined the available data, reviewed the written requests and held a hearing at which all district attorneys who wished to present reasons why they should receive the position were permitted to do so. The WDAA then made it recommendation to DOA, which is to transfer the position to Adams County's DA office. (See the letter from WDAA President, Milwaukee

District Attorney s.13.10 request February 25, 2000 Page 2

DA Michael McCann.) The Adams County DA, Mark Thibodeau, agrees with the WDAA recommendation and the Adams County Board also supports this. (See attached correspondence.) DOA also agrees with the WDAA recommendation and is submitting this s. 13.10 request based upon it.

Analysis

The workload analysis for the Rusk County District Attorney's office shows a staffing surplus of 0.60 FTE (with the DA increase to full-time).. The removal of 0.2 FTE thus would not harm its ability to carry out its required functions. The elected DA, the ADA and the Rusk County Board agree with this analysis. The Adams District Attorney's office shows a staffing deficit of 0.46 FTE. The addition of 0.2 FTE would significantly increase its ability to serve the citizens of Adams County.

Fiscal Analysis

The transfer of the 0.2 FTE would result in savings of \$6,200 or more during the last six months of FY 01. This estimate is based on the difference in the current wage rates between the Rusk assistant district attorney and one hired at the current ADA wage range minimum. However, the labor agreement covering ADAs for the current biennium has not been settled, so the Rusk ADA will be likely be receiving two wage increases before January 2001 and thus the savings would be even greater.

Special Information

The co-chairs of the Joint Committee on Finance, in a letter to the Department of Administration Secretary dated June 12, 1996, set forth four additional items of information that should be included in a s.16.505 request for additional positions in the DA program.

1) An explanation of the effect of the positions on weighted caseload for the requesting counties (the LAB methodology is suggested).

Table 1 indicates the LAB methodology's results and highlights the impact of the transfer of the 0.2 FTE on both Adams and Rusk DA offices. The table uses the most current court data available (1996-98) and the positions authorized as of February 23, 2000, including the increase of the Rusk, Richland and Forest county elected district attorneys to full-time positions effective January 1, 2001.

2) An assessment of similar caseload problems in counties not addressed by the request.

District Attorney s.13.10 request February 25, 2000 Page 3

Table 1 also shows the general need in all other DA offices using the same methodology. The Adams DA office has a very large unmet need for additional prosecutors on a percentage basis: it needs 46% of its current FTE allocation.

3) An explanation of why the request has greater priority than similar needs existing in other counties.

All DA offices were given the opportunity to request the 0.2 FTE. The WDAA's recommendation to give 0.2 FTE to Adams County's DA office was accepted by DOA.

4) If the request is intended to address a specific type of caseload, an explanation of why this type of caseload has a greater priority than other types.

The Adams district attorney will use the 0.2 FTE in a general prosecution capacity.

Attachments

CC:

Stuart Morse, Director, State Prosecutors Office, DOAS

Richard Wagner, Budget Analyst, DOAS

Christopher Buslee, Rusk County District Attorney Mark Thibadeau, Adams County District Attorney

DA Office	2/23/00 FTE	FTE needed (including 3 DA 1/1/01 increases) before transfer	FTE needed (including 3 DA 1/1/01 increases) after transfer	DA Office	2/23/00 FTE	FTE needed (including 3 DA 1/1/01 increases) <u>before</u> transfer	FTE needed (including 3 DA 1/1/01 increases) after transfer	
Adams	1.00	0.46	0.26	Marathon	7.00	3.38	3.38	
Ashland	1.50	0.71	0.71	Marinette	2.50	0.38	0.38	
Barron	3.00	-0.21	-0.21	Marquette	1.00	0.32	0.32	
Bayfield	1.00	0.15	0.15	Milwaukee	116.00 7.85		7.85	
Brown	12.00	2.07	2.07	Monroe	3.00 1.45		1.45	
Buffalo	1.00	-0.21	-0.21	Oconto	1.50	0.24	0.24	
Burnett	1.00	0.68	0.68	Oneida	2.00	1.29	1.29	
Calumet	2.00	-0.19	-0.19	Outagamie	9.00	1.93	1.93	
Chippewa	4.00	0.40	0.40	Ozaukee	3.00	0.86	0.86	
Clark	2.00	0.11	0.11	Pepin	0.60	-0.08	-0.08	
Columbia	3.00	1.99	1.99	Pierce	3.00	-1.51	-1.51	
Crawford	1.00	-0.18	-0.18	Polk	2.00	0.52	0.52	
Dane	34.00	0.87	0.87	Portage	4.00	-0.15	-0.15	
Dodge	4.00	0.24	0.24	Price	1.00	. 0.02	0.02	
Door	2.00	0.18	0.18	Racine	19.00	1.60	1.60	
Douglas	3.50	0.36	0.36	Richland	1.75	-0.63	-0.63	
Dunn	3.50	-0.14	-0.14	Rock	13.50	4.40	4.40	
Eau Claire	8.00	2.60	2.60	Rusk	1.70	-0.60	-0.40	
Florence	0.50	-0.08	-0.08	Saint Croix	6.00	-2.34	-2.34	
Fond du Lac	5.00	1.26	1.26	Sauk	4.50	1.35	1.35	
Forest	0.60	0.21	0.21	Sawyer	2.00	0.68	0.68	
Grant	2.00	0.35	0.35	Shaw/Men	3.00	0.85	0.85	
Green	2.00	0.20	0.20	Sheboygan	7.00	3.22	3.22	
Green Lake	1.50	-0.25	-0.25	Taylor	1.00	0.20	0.20	
Iowa	1.75	-0.43	-0.43	Trempealeau	1.60	0.04	0.04	
Iron	1.00	-0.34	-0.34	Vernon	2.40	-1.23	-1.23	
Jackson	2.00	-0.44	-0.44	Vilas	2.00	÷ -0.71	-0.71	
Jefferson	5.30	1.47	1.47	Walworth	5.00	-0.12	-0.12	
Juneau	2.00	0.12	0.12	Washburn	1.00	0.57	0.57	
Kenosha	12.00	2.48	2.48	Washington	5.00	0.92	0.92	
Kewaunee	1.50	-0.33	-0.33	Waukesha	18.50	-1.56	-1.56	
La Crosse	7.50	2.79	2.79	Waupaca	4.00	-0.30	-0.30	
Lafayette	1.00	-0.38	-0.38	Waushara	1.50	-0.12	-0.12	
Langlade	1.50	0.38	0.38	Winnebago	8.00	4.40	4.40	
Lincoln	2.00	0.34	0.34	Wood	4.00	0.36	0.36	
Manitowoc	4.00	2.47	2.47					

CHRISTOPHER H. BUSLEE, DISTRICT ATTORNEY STEVEN P. ANDERSON, ASSISTANT DISTRICT ATTORNEY LORI A. GORSEGNER, LEGAL ASSISTANT KIM PETSKA, LEGAL SECRETARY NANCY L. BOURNE, VICTIM/WITNESS

RUSK COUNTY DISTRICT ATTORNEY

311 EAST MINER AVENUE, SUITE L327 LADYSMITH, WI 54848 (715) 532-2159 * FAX (715) 532-2267

December 10, 1999

RECEIVED DOAS

Mr. Stuart Morse Director State Prosecutor's Office Post Office Box 7869 Madison, Wisconsin 53707-7869

Dear Mr. Morse;

At the request of the Rusk County Board of Supervisors, through Resolution 99-03 adopted at its regular meeting on January 29, 1999, (a copy of which is attached), the Legislature changed Wisconsin Statute section 978.01(2)(b) to provide Rusk County with a full time District Attorney effective January 1, 2001. Governor Thompson signed the change. This legislation also added .2 FTE to Rusk County's District Attorney/Assistant District Attorney allotment thereby increasing it from 1.5 FTE to 1.7 FTE effective January 1, 2001 (Rusk County presently has a .8 FTE District Attorney and a .7 FTE Assistant District Attorney).

We respectfully request that the Legislature and the Joint Finance Committee, through its Wisconsin Statute section 13.10 procedure, reallocate the .2 FTE District Attorney/Assistant District Attorney position that was added so that the Rusk County total will remain at 1.5 FTE after January 1, 2001, with the District Attorney to be 1.0 and the Assistant District Attorney to be .5 FTE.

It is in everyone's best interest to have these changes made early in 2000 so that the facts will be known before prospective District Attorney candidates take out election papers for the fall 2000 election (June 2000).

Christopher H. Buslee

District Attorney

Steven P. Anderson Assistant District Attorney

Furthermore, Steven P. Anderson hereby agrees the reallocation of what amounts to a .2 FTE reduction in his Assistant District Attorney position is agreeable and he will not use the change as the basis for a union grievance against the State of Wisconsin.

Steven P. Anderson
Assistant District Attorney

RESOLUTION #99-03

REQUEST CHANGE IN WISCONSIN STATUTE 978.01(2)(b)

WHEREAS: Wis. Stats. 978.01(2)(b) requires that Rusk County's District Attorney serve on a part-time basis, and

WHEREAS: It is the opinion of the Rusk County Board of Supervisors that the taxpayers of Rusk County would benefit greatly from a full time District Attorney,

THEREFORE BE IT RESOLVED: That the Rusk County Board of Supervisors hereby respectfully requests that, at the earliest possible date, the Wisconsin Legislature enact and that Governor Thompson sign into law, legislation to remove "Rusk" County from section 978.01(2)(b) and that such change become effective when the winner of the fall election in the year 2000 for the office of Rusk County District Attorney takes office, that being the first Monday of January, 2001.

BE IT FURTHER RESOLVED: That the full time District Attorney position shall result in only a reallocation of DA/ADA time and that this is not a request for an increase in Rusk County's total DA/ADA FTE.

BE IT FURTHER RESOLVED: That the Rusk County Clerk is hereby directed to, as soon as practicable, send a copy of this resolution to State Representative Marty Reynolds, State Senator Russell Decker, and to Wisconsin Governor Tommy Thompson.

Legislative Committee:	
Nort Al See Super Structuralists	
Jay Bruse Walte Herrmann.	
Michael D. Hrahm	,

TO WHOM IT MAY CONCERN:

I, Melanie Meyer, County Clerk for Rusk County, Wisconsin, hereby certify that the foregoing is a true and correct copy of Resolution #99-03 adopted by the Rusk County Board of Supervisors on January 26, 1999.

Melanie Meyer, Rusk County Clerk

SUPPORT OF .2 REDUCTION OF RUSK COUNTY'S DISTRICT ATTORNEY/ ASSISTANT DISTRICT ATTORNEY FTE ALLOCATION

WHEREAS: At the request of the Rusk County Board of Supervisors, through resolution 99-03 (a copy of which is attached) adopted at its regular meeting on January 29, 1999, the Wisconsin Legislature did change Statute 978.01 (2)(b) to provide Rusk County with a full time District Attorney effective January 1, 2001 and Governor Thompson signed the change, and

WHEREAS: The legislation effecting the change also added .2 FTE to Rusk County's DA/ADA allotment thereby increasing it from 1.5 FTE (Rusk County presently has an .8 FTE DA and a .7 FTE ADA), to 1.7 FTE (1.0 FTE DA and a .7 FTE ADA) effective January 1, 2001, and

WHEREAS: It was and still is the opinion of the Rusk County Board of Supervisors that Rusk County would be better served by a full time District Attorney, and

WHEREAS: It was Rusk County's hope and our desire that the creation of the full time District Attorney position would result in a reallocation of .2 FTE ADA time to the DA position (the result being a 1.0 FTE DA and a .5 FTE ADA) thereby freeing up .2 FTE for Rusk County's Corporation Counsel (the ADA and the Corporation Counsel being the same person), and

WHEREAS: Rusk County's District Attorney and Assistant District Attorney have agreed to the requested FTE reduction and signed letters to that effect (copies of which are attached).

THEREFORE BE IT RESOLVED: That the Rusk County Board of supervisors hereby respectfully requests that the Wisconsin Legislature through the Joint Finance Committee and its Wis. Stats. 13.10 process remove the .2 DA/ADA FTE allocation from Rusk County's 1.7 FTE total which was to have been effective January 2001 and bring it back to the present level of 1.5 FTE (1.0 DA and .5 ADA) and that this change be made at the earliest possible date.

BE IT FURTHER RESOLVED: That if the Legislature makes the reduction in Rusk County's DA/ADA FTE to 1.5 as herein requested, the Rusk County Board of supervisors hereby agrees to the creation of a .5 FTE Corporation Counsel position effective 1 January 2001.

BE IT FURTHER RESOLVED: That the Rusk County Clerk is hereby directed to, as soon as possible, send a copy of this resolution along with copies of the two attachments indicated herein, to State Representative Marty Reynolds, State Senator Russell Decker, to the Director of the State Prosecutors Office Stuart Morse, and to Wisconsin Governor Tommy Thompson.

Personnel Committee:

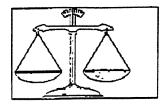
Legislative Committee:

TO WHOM IT MAY CONCERN:

I, Melanie Meyer, County Clerk for Rusk County, Wisconsin, hereby certify

the foregoing is a true and correct copy of Resolution #99-82 adopted by the Rusk County Board of Supervisors on December 28, 1999.

Melanie Meyer, Rusk County Clerk



MARK D. THIBODEAU ADAMS COUNTY DISTRICT ATTORNEY

P.O. Box 258 - Courthouse, Friendship, WI 53934 (608) 339-4217 FAX: (608) 339-6414

Janis K. Cada - Paralegal
Ursula E. Alarie - Legal Secretary/Receptionist
Pela Steiner - Victim/Witness Coordinator

February 24, 2000

Stuart Morse, Director State Prosecutor's Office Department of Administration P.O. Box 7869 Madison, WI 53707-7869

Re:

0.2 FTE Position

Stuart:

I understand the WDAA Allocation Committee has recommended that the Adams County District Attorney's office receive a 0.2 FTE position. It is understood this position is the result of a reduction in Rusk County. It is further understood this recommendation will be submitted for consideration by the Joint Finance Committee at an upcoming s. 13.10 meeting.

Please be advised the Adams County District Attorney will accept this 0.2 position FTE position with great appreciation. The Adams County Board of Supervisors have been aware of the district attorney's requests for assistance over the past several state budget cycles and through recent courthouse renovations have recognized this need and provided additional space in the district attorney's office area. I look forward to the creation of the 0.2 FTE position effective January, 2001.

Respectfully yours,

ADAMS COUNTY DISTRICT ATTORNEY

Mark D. Thibodeau

MDT:uea

ADAMS COUNTY GOVERNMENT P.O. Box 278 Friendship, WI 53934

August 27, 1998

RE:

1999-2001 State Budget

Requesting Part-time Assistant District Attorney

To Whom It May Concern:

We are aware of the caseload handled by our District Attorney's Office. We hereby advise that we believe there is a need for a part-time assistant district attorney position in Adams County, and therefore support the request for such position.

Thank you.

Respectfully yours,

ADAMS COUNTY FINANCE COMMITTEE

Marcella Hardin, Chairperson

al sebastiani

Larry Babcock

Al Sebastiani



E. MICHAEL McCANN, PRESIDENT SAFETY BUILDING, ROOM 405 821WEST STATE STREET MILWAUKEE, WI 53233-1485

WISCONSIN DISTRICT ATTORNEYS ASSOCIATION

Vincent Biskupic, President-Elect Diane Nicks, Secretary-Treasurer Sandy A. Williams, 1st Vice President David Wambach, 2nd Vice President Scott Horne, 3rd Vice President Paul E. Bucher, Past President Elma E. Anderson Patrick J. Kenney Ruth Bachman Steven E. Tinker Mary E. Burke Gloria Ben-Ami Stuart Morse

February 23, 2000

Stuart Morse, Director State Prosecutors Office Wisconsin Dept. of Administration P.O. Box 7869 Madison, WI 53707-7869

Dear Mr. Morse:

As President of the Wisconsin District Attorneys Association, I write to advise you that it is the recommendation of the WDAA that the 2/10 position be transferred from Rusk County to the Marquette County District Attorney's Office.

If you have any questions, please feel free to contact me.

Sincerely yours,

E. Michael Mc Com

E. Michael McCann
District Attorney of Milwaukee County
President of the Executive Board of the
Wisconsin District Attorneys Association

EMM:ss



State of Wisconsin • DEPARTMENT OF REVENUE

125 SOUTH WEBSTER STREET ● P.O.BOX 8933 ● MADISON, WISCONSIN 53708-8933 ● 608-266-6466 ● FAX 608-266-5718 ● http://www.dor.state.wi.us

Tommy G. Thompson Governor

Cate Zeuske Secretary of Revenue

March 3, 2000

The Honorable Brian Burke, Co-Chair The Honorable John Gard, Co-Chair Members, Joint Committee on Finance 115 South Capitol Madison, WI 53702

Dear Senator Burke and Representative Gard:

Summary of Request

The Department of Revenue requests a supplement of \$21,095,800 for the appropriation under s. 20.566(8)(q), \$30,573,800 for the appropriation under s. 20.566(8)(r), \$12,419,000 for the appropriation under s. 20.566(8)(v), \$33,500 for the appropriation under s. 20.835(2)(q) in FY2000-01 from the committee's appropriation under s. 20.865(4)(u) to provide funding to continue the Wisconsin Lottery's operation in that fiscal year and for the future. The source of the requested funding is the lottery fund.

Background of Request

1999 Wisconsin Act 9 contained provisions that shifted to the general fund for the 1999-01 biennium the current lottery fund expenses for lottery general program operations, lottery retailer commissions, lottery vendor fees, the farmland tax relief credit, and the lottery and gaming credit administrations costs of the Department of Revenue, and gaming law enforcement costs of the Department of Justice.

In the Governor's veto message (point 41), he indicated that he was partially vetoing these provisions because of legal, fiscal, policy and practical concerns, the explanations of which are presented in the veto message. Under the partial veto, the costs are shifted to the general fund only for the first year of the biennium, fiscal year 1999-2000, and return to the lottery fund for fiscal year 2000-01.

The partial veto removed funding in fiscal year 2000-01 from the newly created general fund appropriations, but could not provide funding in the corresponding lottery fund appropriations which remain active for the 1999-01 biennium. In the veto message, the Governor indicates that expenditure authority from lottery receipts may be restored for fiscal year 2000-01 through separate legislation or action under s. 13.10 of the statutes.

The Department of Revenue is seeking restoration of fiscal year 2000-01 funding in the exact amounts that were removed from the newly created general fund appropriations. The restoration is being requested of the Joint Committee on Finance under the authority provided in s. 13.10(3) of the statutes. The restoration is intended to be a permanent shift of funding back to the lottery fund as segregated revenue funding for the indicated appropriations.

How Request Meets Statutory Criteria

Section 13.101(3), Stats., provides that an agency may request the Joint Committee on Finance to supplement agency appropriations that are insufficient to accomplish the purpose for which they were established. The intent of the Governor's veto of GPR funding for Wisconsin Lottery operations in FY2000-01 was to shift funding to segregated revenue from the lottery fund in that year and into the future. This request provides sufficient segregated funding in FY2000-01 for the identified existing appropriations to accomplish the purpose of the Wisconsin Lottery.

Sincerely,

Cate S. Zeuske

Secretary of Revenue

Tommy G. Thompson Governor

Linda Stewart, Ph.D. Secretary



OFFICE OF THE SECRETARY 201 East Washington Avenue

Madison, WI 53707-7946

Fax: (608) 266-1784 http://www.dwd.state.wi.us/

Telephone: (608) 266-7552

e-mail: DWDSEC@dwd.state.wi.us

P.O. Box 7946

State of Wisconsin **Department of Workforce Development**

March 3, 2000

The Honorable Brian Burke, Co-Chair Joint Committee on Finance 316 South State Capitol Madison, WI 53702

The Honorable John Gard, Co-Chair Joint Committee on Finance 315 North State Capitol Madison, WI 53702

Dear Senator Burke and Representative Gard:

The Department of Workforce Development (DWD) requests approval of the Joint Committee on Finance under s. 13.10 to transfer \$2,000,000 GPR in 1999-00 from the Committee's appropriation under s. 20.865(4)(a) to the Department's appropriation under s. 20.445(3)(a) for the operation of the data systems in support of the child support program. This request is the result of shortfalls attributable to three areas.

1999 Wisconsin Act 9 (the biennial budget) provided total funding of \$31,169,300 (\$10,035,400 GPR) in 1999-00 for the development and operation of the Kids Information Data System (KIDS), the centralized receipt and disbursement (CR&D) system and new hire reporting. However, Act 9 placed \$2,000,000 GPR into the Committee's appropriation and directed the department to request the release of these funds if it was determined they were necessary for KIDS related expenditures. The rationale for placing these funds in the Joint Committee on Finance's appropriation was based on some underspending that occurred in prior years, and the potential for increased revenues from the CR&D fees.

Child support obligors are required to pay an annual fee of \$25 to the Department to offset the cost of processing child support, maintenance, health care and birth expenses and other child support related expenses. These fees are recorded as program revenue and serve to offset the cost of the CR&D system. Any CR&D costs not covered by the fee are funded with GPR and federal funds, and are included in the KIDS budget. The Governor's biennial budget request for DWD projected CR&D fee collections at \$5.1 million in 1999-00. The Legislature revised the fee projection, increasing it by \$3.0 million to \$8.1 million in 1999-00 based on a reestimate of the base funding and proposed statutory language changes. This resulted in a reduction to KIDS of \$3,000,000 (\$1,020,000 GPR) (\$1,980,000 FED).

For 1999-00 to date, the Department has collected \$1,748,155 in CR&D fees. We project that the total collected for the year will be approximately \$4,600,000, which is closer to the original estimate. This estimated \$3.5 million shortfall will result in the Department requiring \$1,190,000 GPR and \$2,310,000 FED to offset the reduction in CR&D collections.

The Bureau of Child Support has initiated a number of steps to collect receipt and disbursement (R&D) fees during this SFY. In September 1999 and January 2000, the billing statements that were sent to payers included stuffers that reminded them to make the R&D fee payments. In SEC-7792-E (R. 05/99)

The Honorable Brian Burke The Honorable John Gard March 3, 2000 Page 2

addition to these reminders, a special letter was sent to all payers in November of 1999, advising them that they must immediately pay any outstanding R&D fee balances or the fees may be deducted from future wages. In April 2000, 46,000 employers will receive R&D withholding notices advising them to deduct the R&D fees from the paychecks of the approximately 120,000 payers who owe at least \$25.00 in R&D fees.

First year state CR&D collections in CY1999 have improved on collections previously achieved because of the Federally mandated CR&D, with the exception of 1998 when counties made extraordinary efforts to capture uncollected fees prior to transfer to the state. This higher level was achieved despite the fact that one of our most effective tools; income withholding of fees, has not yet been implemented.

The interest earned on the "float" -- the time period between when a collection is received for deposit into the child support trust fund and when the funds are deposited into the payee's account --is also used to fund the CR&D system. Act 9 included \$852,500 in CR&D interest earnings that were expected to be used to offset CR&D contract costs. However, the department has received notification from DOA that the interest earned on the float will be offset by bank fees that were not included in the CR&D budget. This \$852,500 reduction in fees available to offset CR&D costs requires an additional \$289,800 GPR and \$562,650 FED matching funds to fund CR&D activities.

In addition to these projected deficits, the KIDS system is experiencing increased costs in the network support, contractors, and the DOA Infotech areas associated with the implementation of PRWORA. Based on revenue and expenditures data through December 31, 1999, we are projecting a total deficit of \$3,429,000.

Description	Amount
JFC Adjustments (projected underspending,	\$1,020,000
increased revenue estimates)	
Revenue Collections shortfall	\$1,190,000
Interest revenue loss due to unbudgeted bank fees	\$289,800
Increased Kids system costs	\$929,200
Total GPR deficit	\$3,429,000

The information contained in this transmittal is intended to address all criteria enumerated under s 13.101(3) and (4) in that: 1. an emergency exists; 2. no other funds are available for such purposes; and 3. the purposes for which a supplemental appropriation is requested have been authorized or directed by the legislature.

We ask the Committee's careful review and consideration of this request. Orlando Canto, Deputy Secretary, will represent the Department at the s. 13.10 meeting.

Sincerely,

Linda Stewart, Ph.D.

Secretary

DATE:

March 3, 2000

TO:

The Honorable Brian Burke, Co-Chair

Joint Committee on Finance

The Honorable John Gard, Co-Chair

Joint Committee on Finance

FROM:

J. Denis Moran, Director of State Courts ()

SUBJECT:

Request under s. 13.10 for \$16,000 GPR in 1999-2000 and \$24,000 GPR

in 2000-2001 for appropriation 20.680 (2)(a), the Director of State Courts

REQUEST

Under the provisions of s. 13.10, Wis. Stats., the Director of State Courts requests \$16,000 GPR in 1999-2000 and \$24,000 GPR in 2000-2001 for appropriation 20.680 (2)(a), the Director of State Courts, to support the hiring of a consultant to help staff the Committee to Study and Report on Methods of Judicial Selection, as created by 1999 Wisconsin Act 9, section 9146 (2f).

STATUTORY CRITERIA FOR S. 13.10, WIS. STATS., REQUEST

This request is submitted under s. 13.101 (3)(a), under which the Joint Finance Committee may supplement the appropriation of any department, board, commission, or agency, which is insufficient because of unforeseen emergencies or insufficient to accomplish the purpose for which made. In this case, as covered under s. 13.101 (3)(a)(3), the purpose for which the supplement is being requested has been authorized under 1999 Wisconsin Act 9, section 9146 (2f), but no funds were provided to carry this provision into effect.

BACKGROUND

The Committee to Study and Report on Methods of Judicial Selection was created by the Legislature to study judicial sub-districts and other methods of judicial selection that would result in increased racial and ethnic diversity of the judges in the courts. The committee is required to submit a report of its findings to the Supreme Court, Governor and Legislature no later than December 31, 2000. According to 1999 Wisconsin Act 9, the members of the committee are to be appointed by the Governor and the Chief Justice (who is also to be a member of the committee). The committee chair is to be appointed by the Governor, and the Chief Judge of the first judicial administrative district (Judge Michael Skwierawski) is to be co-chair.

On December 8, 1999, the Governor announced his four appointees to the committee: Judge Maxine White (Milwaukee) as chair, Judge M. Joe Donald (Wauwautosa), Marquette Law Professor Frank De Guire and Atty. Jerry Boyle of Mequon. Chief Justice Shirley Abrahamson appointed Judge Angela Bartell (Madison), Judge Dennis Flynn (Racine) and Judge Stanley Miller (Milwaukee). Chief Justice Abrahamson determined that she would not serve because of the risk she would have to disqualify herself if issues relating to the committee's work came before the Supreme Court, and consequently, appointed Appeals Court Judge Neal Nettesheim to take her place on the committee. The committee held its first meeting in Milwaukee on February 11, 2000.

According to 1999 Wisconsin Act 9, members of the committee shall be reimbursed for actual and necessary expenses incurred in performing their duties as members of the committee from the appropriation under section 20.680 (1)(a) of the statutes. Since this is a sum sufficient appropriation, no request is being made for supplemental funding for these expenses. On the other hand, Act 9 also directs that the Director of State Courts provide staff services to the committee. However, no additional funds are provided for this purpose. Current staff within the Director of State Courts office do not have the appropriate background needed to staff this committee. In addition, the appropriation for the Director of State Courts office, 20.680 (2)(a), has not been increased (except for routine supplements) for the past decade. Consequently, there is no money available for reallocation to support the specialized staff services needed by this committee.

<u>ANALYSIS</u>

The committee, appointed by the Governor and Chief Justice, consists of prominent judges and attorneys from around the state. As with most legislatively mandated committees, committee members, due to other commitments, are unable to provide the research and drafting that will be necessary to fulfill the legislative mandate. The work requires a "research reporter" who is an experienced legal researcher and scholar able to devote several hundred hours to the effort, with most of the drafting effort to occur during the summer months. (The committee plans to have a preliminary draft report completed by September in order to meet the December 31 statutory deadline.)

The reporter will conduct research and provide reports and other data to the members of the committee concerning methods of judicial selection employed within the United States, the advantages and disadvantages associated with those methods, and demographic and historical data concerning Wisconsin population and judicial elections. In addition, the reporter will draft the report that is to be provided to the Legislature, Governor and the Supreme Court.

The reporter needs to be accessible by both the committee chair and co-chair, both of whom are Milwaukee County Circuit Court judges. Therefore, a geographically accessible individual with substantial practice experience in Wisconsin courts, with academic experience, and with experience in serving as a research reporter in study/reform committees is needed. The person selected by the committee to be the

reporter is Professor Charles D. Clausen of the Marquette University Law School faculty. Professor Clausen has practiced law in Wisconsin for 25 years and has been a member of the Marquette faculty for 22 years. He recently completed two years of service as member and reporter for the Supreme Court's Commission on Judicial Elections and Ethics. In the mid-1970's, he served as reporter to the Judicial Council/State Bar of Wisconsin Civil Rules Revision Committee. He recently authored The Long and Winding Road: Campaign Ethics Rules for Wisconsin Judges.

The Director of State Courts requests a total of \$40,000: \$16,000 in FY 1999-2000 and \$24,000 in FY 2000-2001, or \$4,000 per month for ten months. It is estimated that the work will require approximately 500 hours of effort on the reporter's part. The normal billing rate for a person in Professor Clausen's position is \$150-\$200 per hour, but Professor Clausen has agreed to perform the services for the committee at a rate that would be less than half his normal rate. Payment would be made monthly, on a stipend, rather than hourly basis.

As stated previously, funds are not available to pay Professor Clausen for his services from the Director of State Courts' budget, nor are any staff members qualified to perform the functions outlined above. It should also be noted that wherever possible, current staff, resources and in-kind services would be used to help support the committee's efforts.

<u>SUMMARY</u>

The Director of State Courts requests \$16,000 GPR in 1999-2000 and \$24,000 GPR in 2000-2001 for appropriation 20.680 (2)(a), the Director of State Courts, to support the hiring of a consultant to help staff the Committee to Study and Report on Methods of Judicial Selection, as created by 1999 Wisconsin Act 9, section 9146 (2f). While Act 9 created the committee, it did not provide any funds to help staff it.

The Director's office will be represented by J. Denis Moran, the Director of State Courts, Judge Maxine White, chair of the committee and Chief Judge Michael Skwierawski, cochair of the committee will be available to answer questions.



State of Wisconsin • DEPARTMENT OF REVENUE

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Tommy G. Thompson Governor

Cate S. Zeuske Secretary of Revenue

March 3, 2000

The Honorable Brian Burke, Co-Chair The Honorable John Gard, Co-Chair Members, Joint Committee on Finance 115 South Capitol Madison, WI 53702

Dear Senator Burke and Representative Gard:

Summary of Request

The Department of Revenue requests a supplement of \$155,600 in FY00 and \$338,100 and 2.5 FTE permanent positions for the appropriation under s. 20.566 (1)(a) in FY01 from the committee's appropriation under s. 20.865(4)(a) to provide funding for a cigarette excise tax tracking system as required under SB 122, which implements an agreement between the State of Wisconsin and tobacco product manufacturers. The department would not need these resources if SB 122 is not enacted.

Background of Request

To protect state revenues received as a result of the "Master Settlement Agreement" (MSA) between the states and the tobacco companies, Wisconsin needs to enact legislation requiring all tobacco product manufacturers who were not part of the original settlement (non-participating manufacturers, or NPMs) to place money into an escrow account based on the number of cigarettes sold each year. If enacted, SB 122 would require such escrow. If Wisconsin fails to enact and diligently enforce this legislation (believed to create a "level playing field" between NPMs and participating manufacturers), the state faces a potential reduction in its tobacco settlement payment.

SB 122, would require the Department of Revenue to "promulgate the regulations necessary to ascertain the amount of Wisconsin excise tax paid on the cigarettes of each tobacco product manufacturer for each year." This information could potentially be needed by the Department of Justice to bring a civil action on behalf of the state against any tobacco product manufacturer that it believes has failed to place the required funds into escrow. While the Department of Revenue currently tracks excise taxes collected, SB 122, in concert with the Master Settlement Agreement, will require obtaining more detailed information than the

department currently collects. The department's regulations will require cigarette distributors to report the number of cigarettes that are stamped for sale in Wisconsin by manufacturer. Further, because some manufacturers sell many different brands of cigarettes, some of which are covered under the MSA and some that are not covered, the department will need to track both participating manufacturer and NPM sales by brand of cigarette. Detailed information by brand is not currently maintained by DOR.

Resources Required

Implementation of a new tracking system would impose an impossibly large burden on the current cigarette tax processes and staff. Instead, the department proposes to develop and maintain a more complex enforcement computer system specifically to store and report cigarette tax information by brand. Collecting this level of detailed information would allow Wisconsin to comply with requirements to track NPM-cigarette sales. This system would be coupled with an electronic filing process to simplify entry of the data by the department and allow distributors to tie department reporting requirements directly with their own systems which already capture brand data. This approach is consistent with the department direction to expand usage of automated systems to promote efficiencies and improve services to taxpayers.

The department proposes to contract with a vendor to develop the system over a 2-year period at an estimated cost of \$1,078,500. In an effort to minimize this cost in any one fiscal year, the department proposes to fund these system costs using a master lease over a seven-year period beginning in FY00.

As previously stated, to meet the requirements of the settlement agreement, the new computer system will have to track much more information than is collected now for cigarette tax. The system is expected to store data for an estimated 750,000 cigarette transactions collected over a four-year period. A LAN-base DB/2 database should handle the volume adequately, but a new LAN server must be acquired. The system will also require 1.5 FTE ongoing permanent positions to provide applications, data, network, and business support starting in FY01.

The system will need to be fully functional for handling all phases of cigarette tax processing. In addition to basic processes for computation, cross-checking, adjustment, and file maintenance, the system will incorporate:

- Audit trails of actions performed by system users.
- Taxpayer profiles.
- Audit referrals.
- Auditor data queries and ad-hoc report generation.
- Remote access through the Internet, with appropriate security controls.
- Statistical reports.

The department's excise tracking system program will require the use of the system-generated information by 1.0 FTE ongoing permanent auditor position starting in FY01. The position will audit reports to ensure that the department is collecting the required detailed cigarette brand sales information in the event that the Department of Justice brings legal action against any tobacco product manufacturer. This position will also investigate cigarette transaction discrepancies and verify adjustments generated by the cigarette tax system. Finally, the position will communicate with multiple parties, including state and federal agencies and manufacturers to resolve discrepancies and provide assistance regarding cigarette and tobacco product tax law.

The following table shows a breakdown of the estimated administrative costs during FY2000 and FY2001. An attached table provides greater fiscal detail, including estimated costs during future fiscal years.

Estimated costs of Development and Support of Cigarette Tracking System

Expenses	FY 2000	FY 2001
Salaries	0	\$95,000
Fringe Benefits	0	\$36,200
Contract Programming (master lease payments)	\$154,200	\$162,500
Server/4PCs (master lease)	\$ 1,400	\$ 31,100
Furniture	0	\$ 10,000
DOA Infotech Charges, Telephone Service,	0	\$ 3,300
Office Supplies		
TOTAL	\$155,600	\$338,100

How Request Meets Statutory Criteria

Section 13.101(3), Stats., provides that an agency may request the Joint Committee on Finance to supplement agency appropriations that are insufficient to accomplish the purpose for which they were established. 1999 Senate Bill 122 does not provide funding for the enforcement program assigned to the Department of Revenue. If SB 122 is enacted, the department will not have funding in its appropriation to implement the detailed excise tax tracking system necessary to meet the requirements of SB 122 and the Master Settlement Agreement. If Wisconsin fails to "diligently enforce" the Master Settlement Agreement and SB 122, the state could face a potential reduction in its tobacco settlement payments. Therefore, ongoing funding is needed for this critical program.

Sincerely,

Cate S. Zeuske

Secretary of Revenue

Estimated Costs of Development and Support of Cigarette Enforcement Program - Version 2.1

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COST ITEM	NO. OF UNITS	UNIT COST	FY00 COST	FY01 COST	FY02 COST	FY03 COST	FY04 COST	FY05 COST	FY06 COST	FY07 COST	FY08 COST
Permanent Salaries											
Maintain Computer Systems											
IS Comp. Spec. (9 mo.)	1.00 FTE	\$22.848	\$0								
IS Comp. Spec.	1.00 FTE	\$23.419		\$48,712	\$48,712	\$48,712	\$48,712	\$48,712	\$48,712	\$48,712	\$48,712
Rev. Tax Spec. 2 (9 mo.)	0.50 FTE	\$17.718	0								
Rev. Tax Spec. 2	0.50 FTE	\$18.161		18,887	18,887	18,887	18,887	18,887	18,887	18,887	18,887
Audit Taxpayer Reports											
Rev. Auditor 1 (3 mo.)	1.00 FTE	\$12.920	0								
Rev. Auditor 1	1.00 FTE	\$13.178		27,410	27,410	27,410	27,410	27,410	27,410	27,410	27,410
Total Permanent Salaries			\$0	\$95,009	\$95,009	\$95,009	\$95,009	\$95,009	\$95,009	\$95,009	\$95,009
Fringe Benefits @ 38.11%			\$0	\$36,208	\$36,208	\$36,208	\$36,208	\$36,208	\$36,208	\$36,208	\$36,208
Supporting Expenses											
Contract. Programming (20% reduct	ion)	\$1,078,520									
Masterlease allocations - 7 years			\$154,186	\$162,529	\$147,162	\$155,826	\$155,826	\$155,826	\$155,826	\$131,518	\$61,112
Furniture / tel.	4.0	\$2,500		10,000							
PC/Network install.	4.0	\$3,000									
Server & 4 PC's Masterleased		\$72,000	1,400	31,100	31,100	15,500	1,400	31,100	31,100	15,500	1,400
InfoTech Charges				2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Telephone service	2.5	\$400	0	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Office supplies	2.5	\$100	0	250	250	250	250	250	250	250	250
Total Supporting Expenses			\$155,586	\$206,879	\$181,512	\$174,576	\$160,476	\$190,176	\$190,176	\$150,268	\$65,762
Total Costs			\$155,586	\$338,096	\$312,729	\$305,793	\$291,693	\$321,393	\$321,393	\$281,485	\$196,979

\$493,682

ASSUMPTIONS:

1. SB 122 passes in early 2000.
2. Vendor contract signed with 20% price reduction
3. Contractor starts April 2000.
4. Contractor develops initial CIG needs assessment by May 2000.
5. DOR approves needs assessment in May/Jun 2000.
6. System design/development starts in May/Jun 2000 and last for about 2 years.

ACTIONS:

1. 2.5 FTE permanent positions funded in FY01.
2. Server and PC's purchased with 3 year warranty eliminating server maintenance costs.
3. Vendor contract estimated at \$1,078,500 masterleased for 7 years (maximum) for a total cost of \$1,279,800.
4. Server and PC's masterleased for 3 years. Funding will remain in the base for 3 year replacement schedule.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor George E. Meyer, Secretary

101 S. Webster St. Box 7921 Madison, Wisconsin 53707-7921 Telephone 608-266-2621 FAX 608-267-3579 TDD 608-267-6897

March 3, 2000

The Honorable Brian Burke, Co-Chair Joint Committee on Finance Room 316 South State Capitol

The Honorable John Gard, Co-Chair Joint Committee on Finance Room 315 North
State Capitol

Attn: Committee Secretary, Daniel Caucutt

Division of Executive Budget and Finance, 10th Floor

Administration Building 101 E. Wilson Street

Dear Senator Burke and Representative Gard:

Request:

The Department of Natural Resources requests a supplement to appropriation s. 20.370(1)(mu) from the Forestry Account of the Conservation Fund of \$186,900 SEG and 2.75 FTE permanent positions in FY 01. This request will address critical gypsy moth suppression needs that are developing in eastern Wisconsin due to the build-up of gypsy moth populations. Two permanent gypsy moth suppression coordinators would be classified as Plant Pest and Disease Specialist (pay range 15-24). A .50 FTE permanent Financial Assistant in the Bureau of Community Financial Assistance classified as a Financial Specialist (pay range 2-10) and a .25 FTE permanent Grant Accountant in the Bureau of Finance classified as an Accountant - Senior (pay range 07-16) are needed to manage suppression cost-sharing funds provided through the USDA Forest Service to local communities. As part of the request, an education program is needed to inform the public on the impact of a growing gypsy moth population. In addition, research is needed for measuring baseline efficacy of suppression efforts. The Department feels this request meets the criteria under s.13.10 because of the rapid increase of gypsy moth populations.

Background:

Favorable weather in the Milwaukee and Fox River areas has led to a rapid increase in the gypsy moth populations there, to the point where we can expect pockets of defoliation this spring (2000) and over larger areas in spring of 2001. USDA Forest Service provides a cost-sharing program to help landowners pay for suppression of defoliating populations of gypsy moth. The Forest Service, however, does not work directly with affected communities; instead, it requires that the state administer this program. The DNR is the agency with responsibility for this program. In order to be able to offer this federal cost-sharing program to communities in eastern Wisconsin for treatments done in the spring of 2001, it is necessary to begin to hire the staff previously described immediately. An education program is also necessary to alert the public to this pest, teach them how to predict development of outbreaks, and what options they have for management of this pest, including participation in the federally cost-shared suppression program. The research program will test suppression criteria for residential areas, develop new management tools, improve survey techniques for residential areas and study factors influencing the use of natural gypsy moth enemies in Wisconsin.



Impacts:

Without the immediate funding for personnel and the education program outlined above, it will be impossible to offer federal cost sharing for suppression treatments in spring of 2001. Preparation for a treatment starts nine months before it takes place. Educating communities on how to apply for assistance must start the summer before a planned treatment. Processing of requests for inclusion in the program must be completed by the December prior to treatment. Contracting with applicators is best done in January in order to be competitive. Given these scheduling constraints, it will be necessary to hire the suppression coordinators, the Financial Assistant and the Grant Accountant by summer 2000 to be able to address requests for assistance this fall from residents in eastern counties for suppression of gypsy moth outbreaks likely to occur there next spring (2001). The initiation of the research program will focus on the development of baseline information of the suppression program. This information will be used for evaluating suppression efforts and, if necessary, modifying the program as currently planned.

Costs:

- 1) Staff: Total cost for personnel, for the first year of the program = \$ 131,857
 - 2 Gypsy Moth Suppression Coordinators (Plant Pest and Disease Specialists)
 - = \$38,014/year/coordinator
 - + \$6,800 travel/year/coordinator
 - + \$3,500 one-time startup costs/coordinator

Total = \$48,314 /coordinator in FY 01

Coordinators would be stationed in the Region they will service, possibly one in the Pike Lake Service Center in Washington Co. and one in Green Bay.

- 1/2 Financial Assistant = \$15,800/year + one-time \$3,500 startup costs
- 1/4 Grant Accountant = \$12,429/year + one-time \$3,500 startup costs
- 2) Education program per year: \$30,000
- 3) Research program per year: \$25,000

Total Cost for FY 01 including Staff + Education + Research = \$186,857

The ongoing cost of this request, in FY 02 and beyond, would be \$172,857.

Conclusion:

This request will direct immediate attention to the suppression needs in 2001 for a rapidly growing gypsy moth population.

Thank you for your consideration of this request.

Sincerely,

George E.Meyer

Secretary

Cc: Darrell Bazzell – AD/5

Joe Polasek - MB/5

Herb Zimmerman - FN/1

Craig Karr - AD/5

Kathryn Curtner - CF/8

Gene Francisco – AD/5

Paul DeLong - FR/4



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March 3, 2000

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State Capitol

The Honorable John Gard, Co-Chair Joint Committee on Finance Room 315 South State Capitol

Attn.

Committee Secretary, Daniel Caucutt

Division of Executive Budget and Finance, 10th Floor

Administration Building 101 E. Wilson Street

Dear Senator Burke and Representative Gard:

REQUEST

The Department of Natural Resources requests a supplement to appropriation s. 20.370(1)mu) from the Forestry Account of the Conservation Fund of \$150,000 SEG in FY 2000, and \$226,700 SEG and 1.00 FTE permanent forester position in FY 2001. The request in FY 2000 is for a \$150,000 increase in the Managed Forest Law (MFL) consultant forester contract. The FY 2001 request is for 1.0 FTE forester-senior permanent position, one forester-senior LTE, two clerical assistant LTE positions, and a continuation of the \$150,000 increase in the funding for MFL consultant forester contracting. This request is to address recent sales, withdrawals, and transfers of large industrial holdings, an unexpectedly high interest in the MFL by the non-industrial private forest landowners through application, and the associated enforcement issues.

BACKGROUND

Wisconsin Statutes establish deadlines for the Department of Natural Resources to meet in administering the Managed Forest Law Program (MFL). Significant increases in the sale of forest tax law lands have resulted in MFL workload that the Department cannot complete within the statutory deadlines without eliminating other essential Forestry work. The state statutes require that applications for the tax law must be processed for entry by November 20, with the field foresters work required by October 1 each year. Transfers and withdrawals which affect a landowner's property taxes must be have orders issued by December 15 each year. Failure to meet the statutory deadlines will open the state to liabilities for the property taxes of the landowners.

With the announcement of the sale of Consolidated Papers, the sales of forest tax law lands total over 610,000 acres in less than 18 months. Each one of the sales of five companies have or will result in the filing of transfers on all tax law land, recording of all the documents, verification of legal descriptions, compliance inspections, follow-up enforcement action and numerous meetings with the new landowners to explain the forest tax laws and the state's and their responsibilities. The industrial forest tax law announcements and sales are as follows:



Consolidated Papers	322,979 acres			
Champion International	9,952 "			
Lake Superior Land Co.	67,362 "			
Four States Timber/PCA	158,587 "			
Tigerton Lumber Co.	<u>54,593</u> "			
Total	613,473 acres			

For 1999 the forest tax law industrial acreage totaled 1,078,727 acres. One of the ownership changes has resulted in four times the normal oversight due to poor forest management practices. This requires close scrutiny on all activities until the landowner is brought into compliance or is withdrawn from the tax laws.

The MFL activity on non-industrial private forest lands has increased 57% over last year with the new applications totaling 2600 this year. The Department spent \$125,000 for contracting with consultant foresters during 1999, through which it completed 224 plans. The FY 2000 budget includes \$150,000 for contracting and LTE administration, which should cover approximately 240 plans. Contractors have bid to do as many as 400 plans but the budget falls short. The need is for 500 plans above what our field foresters can complete. Contracting with consultants has drawn greater interest in FY 2000, going from 16 to 23 consultants bidding. Department foresters must approve plans developed by consultants, assuring that landowners receive a plan that meets standards.

IMPACTS

The transfer of ownership on the large industrial tax law entries results in a review of the ownership change, discussions on the requirements of the tax laws, an evaluation of the new owners' management practices, and an issuance of tax law orders for all the tax law land changing ownership. Under the Managed Forest Law, transfer, withdrawal, and cutting activity is 3.4 times higher than the previous tax laws, the Forest Crop and Woodland Tax Laws. Whenever larger ownerships are sold and broken up, the transfer, withdrawal, and enforcement activity is even higher than normal MFL activity level.

The two current forest tax staff given the responsibility of oversight of the industrial accounts in the forest tax program have seen a dramatic increase in questions and administration activities due to the transfers and withdrawals. With many of the tax law transfers, a part of the land is used for incompatible practices. This leads to either the landowner withdrawing the lands from the tax law or the Department taking enforcement action against them. On large land ownerships, this can mean months of documentation, land examinations, and meetings to document tax law violations and work with Department attorneys.

The same transactions overwhelm the Department's central office Forestry staff. Presently there is a two-month backlog of forest tax law transfers and large industrial ownership changes will take a minimum of six months to process. In cases such as the Four States Timber/Packaging Corporation of America land sale to the state and twelve other entities, the process is slowly progressing through the determination of what transactions are legal forest tax law transfers and which will be requiring withdrawal. Approximately 4,000 legal descriptions will have to be identified and verified, in 45 different towns, in five counties. The sale of Consolidated Papers will involve 122 towns and 26 counties.

Forest landowners in Wisconsin this year have taken a greater interest in the Managed Forest Law. The MFL annual application process completely dominates many forestry offices and as the total acreage has built up in those counties, the follow-up work keeps compounding through management plans and mandatory practices. The 2.5 million acres of forest tax law lands are now dominated by the MFL, which has gone from 34% to 76% of the total in about 3 years. To compound this, the activity in the MFL versus the Forest Crop Law is 3.4 times higher for transfers, withdrawals, and cutting notice/reports. All these activities require actions both by the central office and field foresters.

COST

1). Staff: Total cost of personnel in FY 2001 is \$76,700

• 1 Forest Tax Special Assistant (Forester-Senior)

Salary \$35,200

Fringe \$13,235 (37.6%)

Travel \$3,000

Startup \$3,500

• 1 LTE Contract Coordinator (Forester-Senior)

Salary \$17,600

Fringe \$1,346

• 2 LTE Clerical (Clerical Assistant – 2)

Salary \$16,000 (\$8,000 each)

Fringe \$1,224

The forest tax special assistant would be stationed in Madison (central office), the contact coordinator would be in LaCrosse, one clerical assistant would be in Tomahawk, and one clerical assistant would be in Madison (central office).

2.) Contracting: The increase in consultant forester contracting per year is \$150,000.

Present contracting with private consultant foresters is at \$150,000 per year and this would increase it to \$300,000 on an annual basis.

CONCLUSION

This request will immediately increase the contracting with consultants to the full level necessary for FY 2000 and 2001. It will allow the Department to take a major step forward in addressing the administration of the tax law applications and transfers occurring at record levels and involving our largest landowners in the state. Thank you for your consideration of this request.

Sincerely,

George E. Meyer

Secretary

Cc: Darrell Bassell – AD/5

Joe Polasek – MB/5

Herb Zimmerman – FN/1

Gene Francisco – AD/5

Paul DeLong - FR/4



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- 2) Education program per year: \$30,000
- 3) Research program per year: \$25,000

Total Cost for FY 01 including Staff + Education + Research = \$186,857

The ongoing cost of this request, in FY 02 and beyond, would be \$172,857.

Conclusion:

This request will direct immediate attention to the suppression needs in 2001 for a rapidly growing gypsy moth population.

Thank you for your consideration of this request.

Sincerely,

George E. Meyer

Secretary

Cc: Darrell Bazzell - AD/5

Joe Polasek - MB/5

Herb Zimmerman - FN/1

Craig Karr - AD/5

Kathryn Curtner - CF/8

Gene Francisco - AD/5

Paul DeLong - FR/4



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor George E. Meyer, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

March 3, 2000

The Honorable Brian Burke, Co-Chair Joint Committee on Finance Room 316 South State Capitol The Honorable John Gard, Co-Chair Joint Committee on Finance Room 315 South State Capitol

Attn: Committee Secretary, Daniel Caucutt

Division of Executive Budget and Finance, 10th Floor

Administration Building 101 E. Wilson Street

Dear Senator Burke and Representative Gard:

REQUEST

The Department of Natural Resources requests a supplement to appropriation s. 20.370(1)mu) from the Forestry Account of the Conservation Fund of \$150,000 SEG in FY 2000, and \$226,700 SEG and 1.00 FTE permanent forester position in FY 2001. The request in FY 2000 is for a \$150,000 increase in the Managed Forest Law (MFL) consultant forester contract. The FY 2001 request is for 1.0 FTE forester-senior permanent position, one forester-senior LTE, two clerical assistant LTE positions, and a continuation of the \$150,000 increase in the funding for MFL consultant forester contracting. This request is to address recent sales, withdrawals, and transfers of large industrial holdings, an unexpectedly high interest in the MFL by the non-industrial private forest landowners through application, and the associated enforcement issues.

BACKGROUND

Wisconsin Statutes establish deadlines for the Department of Natural Resources to meet in administering the Managed Forest Law Program (MFL). Significant increases in the sale of forest tax law lands have resulted in MFL workload that the Department cannot complete within the statutory deadlines without eliminating other essential Forestry work. The state statutes require that applications for the tax law must be processed for entry by November 20, with the field foresters work required by October 1 each year. Transfers and withdrawals which affect a landowner's property taxes must be have orders issued by December 15 each year. Failure to meet the statutory deadlines will open the state to liabilities for the property taxes of the landowners.

With the announcement of the sale of Consolidated Papers, the sales of forest tax law lands total over 610,000 acres in less than 18 months. Each one of the sales of five companies have or will result in the filing of transfers on all tax law land, recording of all the documents, verification of legal descriptions, compliance inspections, follow-up enforcement action and numerous meetings with the new landowners to explain the forest tax laws and the state's and their responsibilities. The industrial forest tax law announcements and sales are as follows:



Consolidated Papers	322,979 acres			
Champion International	9,952 "			
Lake Superior Land Co.	67,362 "			
Four States Timber/PCA	158,587 "			
Tigerton Lumber Co.	<u>54,593</u> "			
Total	613,473 acres			

For 1999 the forest tax law industrial acreage totaled 1,078,727 acres. One of the ownership changes has resulted in four times the normal oversight due to poor forest management practices. This requires close scrutiny on all activities until the landowner is brought into compliance or is withdrawn from the tax laws.

The MFL activity on non-industrial private forest lands has increased 57% over last year with the new applications totaling 2600 this year. The Department spent \$125,000 for contracting with consultant foresters during 1999, through which it completed 224 plans. The FY 2000 budget includes \$150,000 for contracting and LTE administration, which should cover approximately 240 plans. Contractors have bid to do as many as 400 plans but the budget falls short. The need is for 500 plans above what our field foresters can complete. Contracting with consultants has drawn greater interest in FY 2000, going from 16 to 23 consultants bidding. Department foresters must approve plans developed by consultants, assuring that landowners receive a plan that meets standards.

IMPACTS

The transfer of ownership on the large industrial tax law entries results in a review of the ownership change, discussions on the requirements of the tax laws, an evaluation of the new owners' management practices, and an issuance of tax law orders for all the tax law land changing ownership. Under the Managed Forest Law, transfer, withdrawal, and cutting activity is 3.4 times higher than the previous tax laws, the Forest Crop and Woodland Tax Laws. Whenever larger ownerships are sold and broken up, the transfer, withdrawal, and enforcement activity is even higher than normal MFL activity level.

The two current forest tax staff given the responsibility of oversight of the industrial accounts in the forest tax program have seen a dramatic increase in questions and administration activities due to the transfers and withdrawals. With many of the tax law transfers, a part of the land is used for incompatible practices. This leads to either the landowner withdrawing the lands from the tax law or the Department taking enforcement action against them. On large land ownerships, this can mean months of documentation, land examinations, and meetings to document tax law violations and work with Department attorneys.

The same transactions overwhelm the Department's central office Forestry staff. Presently there is a two-month backlog of forest tax law transfers and large industrial ownership changes will take a minimum of six months to process. In cases such as the Four States Timber/Packaging Corporation of America land sale to the state and twelve other entities, the process is slowly progressing through the determination of what transactions are legal forest tax law transfers and which will be requiring withdrawal. Approximately 4,000 legal descriptions will have to be identified and verified, in 45 different towns, in five counties. The sale of Consolidated Papers will involve 122 towns and 26 counties.

Forest landowners in Wisconsin this year have taken a greater interest in the Managed Forest Law. The MFL annual application process completely dominates many forestry offices and as the total acreage has built up in those counties, the follow-up work keeps compounding through management plans and mandatory practices. The 2.5 million acres of forest tax law lands are now dominated by the MFL, which has gone from 34% to 76% of the total in about 3 years. To compound this, the activity in the MFL versus the Forest Crop Law is 3.4 times higher for transfers, withdrawals, and cutting notice/reports. All these activities require actions both by the central office and field foresters.

COST

1). Staff: Total cost of personnel in FY 2001 is \$76,700

• 1 Forest Tax Special Assistant (Forester-Senior)

Salary \$35,200

Fringe \$13,235 (37.6%)

Travel \$3,000

Startup \$3,500

• 1 LTE Contract Coordinator (Forester-Senior)

Salary \$17,600

Fringe \$1,346

• 2 LTE Clerical (Clerical Assistant – 2)

Salary \$16,000 (\$8,000 each)

Fringe \$1,224

The forest tax special assistant would be stationed in Madison (central office), the contact coordinator would be in LaCrosse, one clerical assistant would be in Tomahawk, and one clerical assistant would be in Madison (central office).

2.) Contracting: The increase in consultant forester contracting per year is \$150,000.

Present contracting with private consultant foresters is at \$150,000 per year and this would increase it to \$300,000 on an annual basis.

CONCLUSION

This request will immediately increase the contracting with consultants to the full level necessary for FY 2000 and 2001. It will allow the Department to take a major step forward in addressing the administration of the tax law applications and transfers occurring at record levels and involving our largest landowners in the state. Thank you for your consideration of this request.

Sincerely,

George E. Meyer

Secretary

Cc: Darrell Bassell - AD/5

Joe Polasek – MB/5

Herb Zimmerman - FN/1

Gene Francisco – AD/5

Paul DeLong - FR/4



State of Wisconsin • DEPARTMENT OF REVENUE

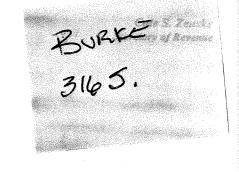
125 SOUTH WEBSTER STREET ● P.O. BOX 8933 ● MADISON, WISCONSIN 53708-8933 ● 608-266-6466 ● FAX 608-266-5718

Tommy G. Thompson Governor

March 23, 2000

The Honorable Brian Burke, Co-Chair The Honorable John Gard, Co-Chair Members, Joint Committee on Finance 115 South Capitol Madison, WI 53702

Dear Senator Burke and Representative Gard:



Amended Request

This amended request replaces the original request submitted on March 3, 2000.

Summary of Request

The Department of Revenue requests a supplement of \$21,095,800 to the appropriation under s. 20.566(8)(q) and a supplement of \$33,500 to the appropriation under s. 20.566(2)(r) in FY2000-01 from the committee's appropriation under s. 20.865(4)(u). The source of the requested funding is the lottery fund. In addition, the department requests conversion of 110.5 FTE GPR positions from s. 20.566(8)(a) to SEG positions under the appropriation under s. 20.566(8)(q) in FY2000-01. The department also requests the elimination of 3.0 FTE GPR positions from the appropriation under s. 20.566(2)(am) in FY2000-01 since 3.00 FTE SEG positions are already authorized in the appropriation under s. 20.566(2)(r). These changes provide funding to continue the Wisconsin Lottery's operation in fiscal year 2000-01 and in the future.

Background of Request

1999 Wisconsin Act 9 contained provisions that shifted to the general fund for the 1999-01 biennium the current lottery fund expenses for lottery general program operations and the lottery and gaming credit administration costs of the Department of Revenue, and gaming law enforcement costs of the Department of Justice.

In the Governor's veto message (point 41), he indicated that he was partially vetoing these provisions because of legal, fiscal, policy and practical concerns, the explanations of which are presented in the veto message. Under the partial veto, the costs are shifted to the general fund only for the first year of the biennium, fiscal year 1999-2000, and return to the lottery fund for fiscal year 2000-01.

The partial veto removed funding in fiscal year 2000-01 from the newly created general fund appropriations, but could not provide funding in the corresponding lottery fund appropriations which remain active for the 1999-01 biennium. In the veto message, the Governor indicates that expenditure authority from lottery receipts may be restored for fiscal year 2000-01 through separate legislation or action under s. 13.10 of the statutes.

The Department of Revenue is seeking restoration of fiscal year 2000-01 funding in the exact amounts that were removed from the newly created general fund appropriations. The restoration is being requested of the Joint Committee on Finance under the authority provided in s. 13.10(3) of the statutes. The restoration is intended to be a permanent shift of funding back to the lottery fund as segregated revenue funding for the indicated appropriations.

How Request Meets Statutory Criteria

Section 13.101(3), Stats., provides that an agency may request the Joint Committee on Finance to supplement agency appropriations that are insufficient to accomplish the purpose for which they were established. The intent of the Governor's veto of GPR funding for Wisconsin Lottery operations in FY2000-01 was to shift funding to segregated revenue from the lottery fund in that year and into the future. This request provides sufficient segregated funding in FY2000-01 for the identified existing appropriations to accomplish the purpose of the Wisconsin Lottery.

Sincerely,

Cate S. Zeuske Secretary of Revenue



JAMES E. DOYLE ATTORNEY GENERAL

Burneatta L. Bridge Deputy Attorney General 123 West Washington Avenue P.O. Box 7857 Madison, WI 53707-7857

Jack Benjamin Budget and Finance Director 608/267-6714 benjaminjr@doj.state.wi.us Fax 608/266-1656

April 19, 2000

Senator Brian Burke, Co-Chair Joint Committee on Finance 316 South, State Capitol Madison, WI 53707-7882

Representative John Gard, Co-Chair Joint Committee on Finance 315 North, State Capitol Madison, WI 53708-8952 RECEIVED

APR 2 7 2000

BY:

Dear Senator Burke and Representative Gard:

Under sec. 13.10, stats., the Department of Justice requests a SEG supplement of \$226,700 in FY 01 and as a permanent increase, in the appropriation under sec. 20.455(2)(r), Gaming law enforcement; lottery revenues. In addition, we request the conversion of 2.75 GPR positions to SEG. Approval of this request is needed to restore lottery fund moneys to sustain our gaming enforcement activities at the level seen over the past eight years or so. This request meets the criteria under sec. 13.101(3)(a)—an emergency exists, we have no other resources to address this need, and we are required to satisfy gaming law enforcement responsibilities under sec. 165.70 (3) and (3m) and others.

Background

gaming. The act created a SEG appropriation under sec. 20.455(2)(r), Gaming law enforcement; lottery revenues, and authorized five SEG positions paid for from the lottery fund, for the performance of the department's gaming law enforcement responsibilities as specified in section 165.70(3m) 1995 Wisconsin Act 27 changed the mix of funds used to pay for five positions in the Gaming Enforcement Bureau in our Division of Criminal Investigation, resulting in 2.75 positions being charged to the lottery fund beginning in FY 96. 1999 Wisconsin Act 9 deleted SEG funding in FY 00 and FY 01 and 2.75 positions. A GPR appropriation under sec. 20.455(2)(fm)—Gaming law enforcement—was created to provide for the performance of the department's gaming law enforcement responsibilities Amounts appropriated were \$226,000 in FY 00 and \$226,700 in FY 01 for 2.75 GPR positions. The Governor vetoed language in section 490g of the act that would have otherwise prohibited

Senator Brian Burke, Co-Chair Representative John Gard, Co-Chair April 19, 2000

moneys from being spent or encumbered during this biennium from the SEG appropriation under (2)(r). He also lined out the FY 01 amount otherwise appropriated in (2)(fm) and replaced it with \$0. Page 127 of the veto message includes the statement that by vetoing section 490g expenditure authority from lottery receipts may be restored for fiscal year 2000-2001 for the purpose of gaming law enforcement through separate legislation or action under s. 13.10 of the statutes.

Analysis

The end result of 1999 Act 9 is that we are left without FY 01 or future funding to support 2.75 Special Agents in the Gaming Enforcement Bureau. Unless corrected, this will leave us without resources to pay for 55 percent of the position complement authorized for this bureau. Given that gaming concerns are more pervasive than ever, we must at least maintain the level of resources authorized for this purpose nearly eight years ago.

This request satisfies the specific conditions provided for in the Governor's veto message regarding gaming enforcement funding. We are attempting to sustain this vital resource by following the process prescribed there. We request a supplement of \$226,700 to our SEG appropriation under (2)(r), and the conversion of 2.75 positions from GPR to SEG. These approvals are needed in FY 01 and on an ongoing basis. This request can be seen as a companion request to one submitted on March 23, 2000 by the Department of Revenue.

Summary

1991 Wisconsin Act 269 created a Gaming Enforcement Bureau in our Division of Criminal Investigation, and appropriated SEG moneys from the lottery fund to pay a portion of the costs. 1999 Wisconsin Act 9 replaced lottery fund moneys with GPR funding for 2.75 Special Agents in the Bureau, but only for FY 00. The Governor vetoed second year funding and directed that we seek resources from the lottery fund via legislation or a request under sec. 13.10. By means of this request we seek restoration of \$226,700 SEG in our appropriation under sec. 20.455(2)(r) and 2.75 SEG positions. Funding and position authority are needed both in FY 01 and on an ongoing basis. This request is our equivalent to one submitted by the Department of Revenue on March 23, 2000. If this request is not approved, then our staffing resources available for gaming law enforcement activities will be reduced by 55 percent.

Sincerely,

Jack Benjamin

Budget and Finance Director

[word: jcflottery]

TOMMY G. THOMPSON



Governor State of Wisconsin

May 23, 2000

The Honorable Brian Burke, Co-Chair Joint Committee on Finance 316 South, State Capitol Madison, WI 53702

The Honorable John Gard, Co-Chair Joint Committee on Finance 315 North, State Capitol Madison, WI 53702

Dear Senator Burke, Representative Gard and Members:

Attached are the signed minutes of the May 3, 2000, s. 13.10, Wisconsin Statutes, meeting.

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

Regarding Item XXIV, the Joint Committee on Finance approved an expenditure of \$1,555,355 from either the original or reauthorized Warren Knowles-Gaylord Nelson stewardship program for a natural areas and bluff protection grant to the Trust for Public Lands for the acquisition of 86.2 acres of land for the Ellison Bluff County Park in Door County. I object to the authorization to use funds from the bluff protection program in the reauthorized stewardship program because the amount of bonding authority assigned to the bluff protection subprogram is limited. A grant of the size approved for the Trust for Public Lands could result in the expenditure of the entire bluff protection authority for a single project before other eligible projects are presented and considered. Thus, I am partially vetoing this item to eliminate the option of expending funds from the reauthorized stewardship program for this grant. To provide the maximum flexibility to the Department of Natural Resources to fund the grant out of the remaining authority of the original Warren Knowles-Gaylord Nelson stewardship program, I am also eliminating the language requiring the grant to be a natural areas grant.

Sincerely,

TOMMY G. THOMPSON

Governor,

P.O. Box 7863, Madison, Wisconsin 53707 • (608) 266-1212 • FAX (608) 267-8983 • e-mail:

THE STATE OF WISCONSIN

SENATE CHAIR BRIAN BURKE

316 S. Capitol P.O. Box 7882 Madison, WI 53707-7882 Phone: (608) 266-8535



ASSEMBLY CHAIR JOHN GARD

315-N Capitol P.O. Box 8952 Madison, WI 53708-8952 Phone: (608) 266-2343

JOINT COMMITTEE ON FINANCE

Minutes of the Regular Meeting Under s. 13.10

May 3, 2000

Co-chair Burke presided and called the meeting to order at 9:30 a.m.

Present: Senators Burke, Decker, Jauch, Moore, Shibilski, Plache, Cowles, Darling

Representatives Gard, Porter, Kaufert, Albers, Duff, Ward, Huber, Riley

Absent: None

Secretary's Note: For some of the items the Senate Majority Leader designated Senator Clausing to take the place of Senator Shibilski. These are noted.

I. Department of Administration

Moved by Representative Gard and seconded by Senator Burke to release \$500,000 PR in 1999-2000 from the reserved portion of the Joint Committee on Finance appropriation under s. 20.865(4)(g) to the management assistance grant program under s. 20.505(1)(ku) for distribution to Menominee County.

Ayes, 16; Noes, 0

II. <u>Higher Educational Aids Board</u>

Moved by Representative Gard and seconded by Senator Burke to provide a supplement of \$15,500 GPR in 1999-2000 and \$28,400 GPR in 2000-01 to HEAB's s. 20.235(2)(aa) appropriation from the Joint Finance Committee's s. 20.865(4)(a) appropriation to fund 1.86 positions that were provided in 1999 Wisconsin Act 9.

III. Higher Educational Aids Board

Moved by Representative Gard and seconded by Senator Burke to approve the interstate educational reciprocity agreements between Gateway Technical College and McHenry County College and College of Lake County as submitted by HEAB, with the understanding that courses taken by nonresidents with the approval of their employer would be related to the employer's business. In addition, require the Wisconsin Technical College System Board to submit a report to the Joint Committee on Finance by May 1, 2001, on the number of Illinois residents who have enrolled in Gateway courses with the approval of their employer under the new provision, the effect of the provision on Gateway's tuition revenues and the potential impact of such enrollments on the District's property tax levy.

Ayes, 16; Noes, 0

IV. Technology for Educational Achievement (TEACH) in Wisconsin

Moved by Senator Jauch and seconded by Senator Burke to deny the agency's request.

Ayes, 8; Noes, 8 [Cowles, Darling, Gard, Porter, Kaufert, Albers, Duff, Ward]

Secretary's Note: The agency had submitted a request to release \$1,997,300 SEG in 1999-2000 from the reserved portion of the Committee's SEG telecommunications supplement the following appropriation to (a) \$927,100 SEG to the telecommunications access--school appropriations: \$759,400 SEG (b) appropriation [s. 20.275(1)(s)]; districts telecommunications access--private and technical colleges and libraries appropriation [s. 20.275(1)(t)]; and (c) \$310,800 SEG to the telecommunications access--private schools appropriation [s. 20.275(1)(tm)]. In addition, the agency had requested that: (a) \$84,200 SEG be transferred from the access appropriation for private and technical colleges and libraries to the access appropriation for school districts; and (b) \$500,000 SEG be transferred from the access appropriation for private K-12 schools to the access appropriation for school districts.

Moved by Representative Duff and seconded by Representative Gard to release \$1,696,700 SEG in 1999-2000 from the reserved portion of the Committee's SEG appropriation [s. 20.865(4)(u)] to supplement the following TEACH telecommunications appropriations: \$1,193,000 to s. 20.275(1)(s) and \$503,700 to s. 20.275(1)(t). In addition, transfer \$183,500 SEG in 1999-2000 from the private K-12 school access appropriation [s. 20.275(1)(tm)] to the colleges and public libraries appropriation [s. 20.275(1)(t)]. Finally, require that

Minutes, Joint Committee on Finance Page 3 May 3, 2000

all E-Rate funding, except for \$400,000 in 1999-2000, received in each year, would be used to reduce the PSC assessment on telephone customers.

Ayes, 8; Noes, 8 [Burke, Decker, Jauch, Moore, Clausing, Plache, Huber, Riley]

Secretary's Note: In the temporary absence of Senator Shibilski, the Senate Majority Leader designated Senator Clausing to take his place on the Committee for this agenda item.

V. <u>District Attorneys</u>

Moved by Senator Cowles and seconded by Representative Huber to: (1) transfer 0.2 GPR Assistant District Attorney (ADA) position from Rusk County to Adams County, effective January 1, 2001; and (2) provide a supplement of \$235,300 GPR in 2000-01 from the Committee's appropriation under s. 20.865(4)(a) to the appropriation under s. 20.475(1)(d) (the District Attorneys' salaries and fringe benefits appropriation) and authorize 5.0 GPR ADA positions for the following counties as follows: (a) 0.5 position for Columbia County; (b) 0.3 position for LaCrosse County; (c) 0.5 position for Marathon County; (d) 0.2 position for Marquette County; (e) 0.5 position for Oneida County; (f) 0.75 position for Rock County; (g) 0.75 position for Winnebago County; (h) 0.5 position to be assigned to serve both Burnett and Washburn counties or to be allocated as 0.25 position for Burnett County and 0.25 position for Washburn County, whichever is agreed to by the district attorneys of Burnett and Washburn counties; and (i) 1.0 position to be assigned to serve both Manitowoc and Sheboygan counties or to be allocated as 0.5 position for Manitowoc County and 0.5 position for Sheboygan County, whichever is agreed to by the district attorneys of Manitowoc and Sheboygan counties.

Ayes, 12; Noes, 3 [Gard, Porter, Duff]; Absent, 1 [Moore]

VI. Director of State Courts

Moved by Representative Gard and seconded by Senator Burke to provide \$16,000 GPR in 1999-2000 and \$24,000 GPR in 2000-01 from the Committee's appropriation under s. 20.865(4)(a) to the Director of State Courts' general program operations appropriation under s. 20.680(2)(a) to support the hiring of a research reporter for the Committee to Study and Report on Methods of Judicial Selection.

VII. Department of Corrections

Moved by Representative Gard and seconded by Senator Burke to provide a transfer of \$30,000 GPR in 1999-2000 from the Committee's appropriation under s. 20.865(4)(a) to the Parole Commission's appropriation under s. 20.410(2)(a) for supplies and services costs.

Aves, 16; Noes, 0

VIII. Department of Revenue - Request withdrawn

Secretary's Note: The request related to funding for development of a cigarette excise tax tracking system.

IX. Department of Revenue

Moved by Representative Gard and seconded by Representative Porter to provide supplements in 2000-01 from the Joint Committee on Finance's SEG appropriation under s. 20.865(4)(u), as follows: (a) \$21.095,800 SEG for lottery general program operations under s. 20.566(8)(q); and (b) \$33,500 SEG for lottery credit administration under s. 20.566(2)(r). The SEG funding for these purposes would be provided from the lottery fund. In addition, authorize the conversion of 110.5 GPR positions for lottery operations to SEG positions in 2000-01 and the deletion of 3.0 GPR positions for lottery credit administration in 2000-01.

Ayes, 10; Noes, 6 [Burke, Decker, Moore, Shibilski, Plache, Huber]

X. Department of Workforce Development

Moved by Representative Gard and seconded by Senator Burke to approve a transfer of \$2,000,000 GPR in 1999-2000 from the reserved portion of the Committee's appropriation under s. 20.865(4)(a) to the Department's general program operations appropriation under s. 20.445(3)(a) to fund expenditures related to the Kids Information Data System.

Ayes, 16; Noes, 0

XI. Department of Administration

Moved by Representative Duff and seconded by Senator Burke to allocate total FED LUST and SEG petroleum inspection fund funding to DNR and Commerce in the same proportion as the percentage of ranked active petroleum and co-

contaminated sites managed by each of the agencies, contingent on EPA approval of the funding allocation. Approve the funding split recommended by DOA based on the number of active ranked sites administered by each agency on December 1, 1999, which would provide 38% of total FED and SEG PECFA funding for DNR and 62% for Commerce. This would transfer \$588,400 in ongoing LUST grant funding from DNR to Commerce, beginning in fiscal year 2000-01.

Ayes, 15; Noes, 0; Absent, 1 [Moore]

XII. Department of Justice

Moved by Representative Albers and seconded by Representative Gard to authorize 1.0 PR special agent two-year project position for the Department of Justice's Division of Criminal Investigation to investigate criminal activity under the state Petroleum Environmental Cleanup Fund Award (PECFA) program.

Ayes, 5; Noes, 11 [Burke, Decker, Jauch, Moore, Shibilski, Plache, Cowles, Duff, Ward, Huber, Riley]

Moved by Representative Duff and seconded by Senator Cowles to authorize 2.0 PR permanent PECFA special investigator positions in the appropriation under s. 20.455(2)(k).

Ayes, 15; Noes, 1 [Albers]

XIII. Department of Commerce

Moved by Representative Gard and seconded by Senator Burke to authorize 9.0 PR permanent positions and 3.0 two-year project positions in Commerce [funded from the appropriation under s. 20.143(3)(ka)] for PECFA program administration of medium- and low-risk petroleum contaminated sites (based on a 38% DNR and 62% Commerce funding allocation).

Ayes, 16; Noes, 0

XIV. Department of Commerce

Moved by Representative Duff and seconded by Senator Burke to: (a) provide a supplement of \$112,200 PR in 2000-01 to the Safety and Buildings general operations appropriation [s. 20.143(3)(j)] and authorize 2.0 PR one-year project positions [funded from s. 20.143(3)(j)] for claim review under the PECFA

Minutes, Joint Committee on Finance Page 6 May 3, 2000

program; and (b) delete 2.0 PR project positions funded from the appropriation for petroleum storage remedial action fees [s. 20.143(3)(Lm)].

Aves, 16; Noes, 0

XV. Department of Natural Resources

Moved by Representative Albers and seconded by Representative Gard to authorize 1.0 PR, three-year project position, funded from the appropriation under s. 20.370(9)(mk), to implement an air quality public information and education program. In addition, direct DNR to not use the project position to provide information and advice to DNR air management staff and U.S. Environmental Protection Agency staff about how to integrate air science information into high school curricula.

Ayes, 8; Noes, 8 [Burke, Decker, Jauch, Moore, Shibilski, Plache, Huber, Riley]

Moved by Representative Gard and seconded by Senator Burke to authorize 1.0 PR, three-year project position, funded from the appropriation under s. 20.370(9)(mk), to implement an air quality public information and education program.

Ayes, 15; Noes, 1 [Albers]

XVI. Department of Natural Resources

Moved by Senator Decker and seconded by Senator Burke to provide: (a) a supplement of \$154,500 PR in 2000-01 to the appropriation under s. 20.370(2)(ci) and authorize 3.0 PR positions to perform air construction permit review and enforcement activities; and (b) a supplement of \$11,300 PR in 1999-2000 and \$68,300 PR in 2000-01 for the construction permit appropriation [s. 20.370(2)(ci)] for bureau-wide costs.

Ayes, 14; Noes, 2 [Gard, Porter]

XVII. Department of Natural Resources

Moved by Representative Gard and seconded by Senator Burke to authorize 1.0 PR position in 2000-01, to be funded from the appropriation under s. 20.370(2)(bi), for air asbestos management activities.

Minutes, Joint Committee on Finance Page 7 May 3, 2000

Secretary's Note: DNR is to reallocate existing unallocated expenditure authority to fund the cost of the position.

XVIII. Department of Natural Resources

Moved by Representative Gard and seconded by Senator Burke to increase expenditure authority in the appropriation under s. 20.370(1)(mu) by \$96,700 SEG in fiscal year 2000-01 and authorize 2.0 SEG plant pest and disease specialist positions in the Division of Forestry (funding to come from the forestry account of the conservation fund) for coordinating the gypsy moth suppression program. In addition, increase expenditure authority by \$35,200 SEG in 2000-01 and authorize in 2000-01 0.75 SEG position (funding to come from the forestry account of the conservation fund) related to the gypsy moth program and allocated as follows: (a) \$19,300 and 0.5 financial assistance specialist position in the Bureau of Community Financial Assistance [s. 20.370(9)(mu)]; and (b) \$15,900 and 0.25 grant administrator position in the Bureau of Finance [s. 20.370(8)(mu)]. Finally, provide \$55,000 SEG, on a one-time basis in 2000-01, to the appropriation under s. 20.370(1)(mu) (funding to come from the forestry account of the conservation fund) for gypsy moth-related education and research activities in the Division of Forestry.

Ayes, 16; Noes, 0

XIX. Department of Natural Resources

Moved by Representative Albers and seconded by Representative Gard to direct DNR to require that any management plans for the forest tax law program prepared with any staffing or funding approved at the May 3, 2000, s. 13.10 meeting include a component dealing with gypsy moth pest management activities.

Ayes, 16; Noes, 0

Moved by Representative Gard and seconded by Senator Burke to increase expenditure authority in the appropriation under s. 20.370(1)(mu) by \$150,000 SEG in 1999-2000 and 2000-01 (to be funded from the forestry account of the conservation fund) for contracts with private foresters to prepare management plans for the entry of land into managed forest lands. In addition, increase expenditure authority in the appropriation under s. 20.370(1)(mu) by \$76,700 SEG in 2000-01 and authorize 1.0 SEG position in 2000-01 (funding to come from the forestry account of the conservation fund) for permanent and LTE staffing related to forest tax law workload.

XX. Department of Natural Resources

Moved by Senator Decker and seconded by Senator Burke to approve the DNR definition of administrative costs, which would include: (a) the Division of Administration and Technology; (b) Land Program Management; and (c) Water Program Management.

Ayes, 8; Noes, 8 [Cowles, Darling, Gard, Porter, Kaufert, Albers, Duff, Ward]

Moved by Representative Gard and seconded by Representative Porter to include in the definition of administrative costs (for purposes of compliance with the 16% fish and wildlife account administrative funding limit): (a) the Division of Administration and Technology; and (b) program management for the Divisions of Land, Water, Enforcement and Science, and Customer Assistance and External Relations (CAER). In addition, delete: \$469,000 and 4.5 positions in 2000-01 as follows: from the Division of Administration and Technology (\$319,600 and 3.5 positions); from Land Program Management (\$69,100 and 0.5 position); from Water Program Management (\$42,700 and 0.5 position); from Enforcement and Science Program Management (\$19,500); and from CAER Program Management (\$18,100). Further, direct DNR to submit a request under s. 13.101 within the time designated by the Committee for consideration at the third quarterly meeting in 2000 (September) specifying staff and funding increases to provide direct fish and wildlife services.

Ayes, 8; Noes, 8 [Burke, Decker, Jauch, Moore, Shibilski, Plache, Huber, Riley]

Moved by Representative Gard and seconded by Representative Porter to include in the definition of administrative costs (for purposes of compliance with the 16% administrative funding limit): (a) the Division of Administration and Technology, and (b) program management for the Divisions of Land, Water, Enforcement and Science, and Customer Assistance and External Relations. In addition, direct DNR to submit a request under s. 13.101 within the time designated by the Committee for consideration at the third quarterly meeting in 2000 (September) describing where reductions or transfers of \$469,000 in 2000-01 should be made from the indicated administrative appropriations and specifying staff and funding increases to provide direct fish and wildlife services.

Ayes, 8; Noes, 8 [Burke, Decker, Jauch, Moore, Clausing, Plache, Huber, Riley]

Moved by Senator Decker and seconded by Senator Burke to include in the definition of administrative costs (for purposes of compliance with the 16% administrative funding limit): (a) the Division of Administration and Technology; and (b) program management for the Divisions of Land, Water, Enforcement and Science, and Customer Assistance and External Relations. In addition, direct DNR to submit a request under s. 13.101 within the time

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designated by the Committee for consideration at the third quarterly meeting in 2000 (September) describing where reductions or transfers should be made in 2000-01 from the indicated administrative appropriations.

Ayes, 8; Noes, 8 [Cowles, Darling, Gard, Porter, Kaufert, Albers, Duff, Ward]

Secretary's Note: In the temporary absence of Senator Shibilski, the Senate Majority Leader designated Senator Clausing to take his place on the Committee for the last two votes.

XXI. Department of Natural Resources

Moved by Senator Decker and seconded by Senator Burke to authorize 1.0 PR facility designer position on a four-year project basis in the Bureau of Administrative and Field Services in DNR's general program operations service funds appropriation [s. 20.370(8)(mk)].

Ayes, 8; Noes, 8 [Cowles, Darling, Gard, Porter, Kaufert, Albers, Duff, Ward]

XXII. Department of Natural Resources

Moved by Senator Cowles and seconded by Senator Burke to approve the purchase of approximately 14 miles of railroad right-of-way from Green Bay to Greenleaf in Brown County from the Wisconsin Central Ltd. (WCL) for \$435,000 from the general land acquisition component of the Warren Knowles-Gaylord Nelson stewardship program, subject to the condition that the final sales contract include a provision requiring WCL to indemnify the state if the entire corridor does not meet the federal Rails-to-Trails criteria for interim trail use. In addition, direct DNR to limit any indemnity agreement entered into by the State of Wisconsin and Wisconsin Central Ltd. related to the Green Bay to Greenleaf corridor from exceeding a period of 20 years. Further, direct DNR to prohibit motorized uses of the trail on any part of the trail in a city or village.

Ayes, 16; Noes, 0

Moved by Representative Albers and seconded by Representative Gard to require that any indemnity agreement entered into between DNR and Wisconsin Central Ltd. include a bond purchased by WCL sufficient to cover the purchase amount.

Ayes, 1; Noes, 15 [Burke, Decker, Jauch, Moore, Clausing, Plache, Cowles, Darling, Gard, Porter, Kaufert, Duff, Ward, Huber, Riley]

Moved by Representative Albers and seconded by Representative Gard to require that approval of the purchase is conditioned on DNR entering into an

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agreement with Brown County under which, if it is found that the entire Green Bay to Greenleaf corridor does not meet the federal Rails-to-Trails criteria for interim trail use and that the property reverts to landowners abutting the trail, Brown County return any state development funding provided during the period between the time of the purchase and the time of the finding to the state.

Ayes, 2; Noes, 14 [Burke, Decker, Jauch, Moore, Clausing, Plache, Cowles, Darling, Gard, Porter, Kaufert, Ward, Huber, Riley]

Secretary's Note: In the temporary absence of Senator Shibilski, the Senate Majority Leader designated Senator Clausing to take his place on the Committee for the last two votes in the agenda item.

XXIII. Department of Natural Resources

Moved by Representative Duff and seconded by Senator Burke approve the expenditure of \$303,500 from the Warren Knowles-Gaylord Nelson stewardship program for a grant to Kenosha County (\$224,100 from the urban rivers program and \$79,400 from the stream bank protection program) for the acquisition of 233 acres of land for Wheatland-Randall-Twin Lakes County Park. In addition, approve the expenditure of \$670,000 from the Warren Knowles-Gaylord Nelson stewardship program (\$380,000 from the urban rivers program and \$290,000 from the urban green space program) for a grant to Waukesha County for the acquisition of 347 acres of land for Ashippun River County Park.

Ayes, 15; Noes, 1 [Albers]

XXIV. Department of Natural Resources

Moved by Representative Gard and seconded by Senator Burke to approve the expenditure of \$1,555,355 from either the original or reauthorized Warren Knowles-Gaylord Nelson stewardship program for a natural areas and bluff protection grant to the Trust for Public Lands for the acquisition of 86.2 acres of land for Ellison Bluff County Park in Door County.

Ayes, 16; Noes, 0

Vetoed in Part

The presiding Co-chair made a unanimous consent request to receive the following reports: (a) (R-1) Department of Administration Position Report required under s. 16.50 on the number of federally-funded positions approved during the September to December 1999 quarter; and (b) (R-2) Department of Agriculture, Trade and Consumer Protection Report on Development of Gypsy Moth Suppression Program. Without objection, it was so ordered.

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Daniel Caucutt, Secretary

Date: May 19, 2000

Brian Burke, Co-chair

Date: 5-22-2000

Tommy G. Phompson, Governor

Date: May 23, 2000

SUMMARY JOINT COMMITTEE ON FINANCE GPR APPROPRIATION STATUS

(Incorporating Committee Actions thru May 3, 2000)

	1999-00	2000-01	1999-01 <u>Biennium</u>	Releases to Date	Remaining <u>Reserve</u>
Current Biennial Appropriation Amount [s. 20.865(4)(a)]	\$20,655,450	\$83,810,900	\$104,466,350	N.A.	N.A.
Reserved For:					
DOA Operation Fresh Start Project Funding	\$232,000	\$232,000	\$464,000	\$225,500	\$238,500
DOA Federal Surplus Property Grant	0	100,000	100,000	•	100,000
DOC Contract Beds Funding	13,799,000	44,834,400	58,633,400		21,103,500
DOC Community Corrections Funding	1,100,000	1,100,000	2,200,000		1,100,000
DOC Funds for Inmate Work Centers	1,299,600	3,067,000	4,366,600	0	4,366,600
Elections Bd, WECF Grant Funding	0	870,000	870,000	ő	870,000
DHFS MA Targeted Case Management	0	21,495,300	21,495,300	-	0,000
DHFS Funding for Rainbow Successor	1,000,000	0	1,000,000	500,000	500,000
DHFS Mendota MHI Body Alarms	233,000	0	233,000	233,000	000,000
DHFS Registry of Lead-Free or Lead-Safe Properties	0	520,000	520,000	0	520,000
Miscellaneous Appropriations - Historically Significant Furnishings	400,000	0	400,000	400,000	020,000
Public Land Sales Reserve (see attached summary sheet)	650	Ö	650	0	. 650
DOR - Funding for IT Systems Development	0	5,701,000	5,701,000	ő	5,701,000
UW Funding for Increased Enrollment	Ŏ	3,800,000	3,800,000	3,800,000	0,707,000
DWD Additional KIDS Budget Funding	2,000,000	2,000,000	4,000,000	2,000,000	2,000,000
Reserved Balance	\$20,064,250	\$83,719,700	\$103,783,950	\$67,283,700	\$36,500,250
Releases from Reserved Balance					
DOA Operation Fresh Start Project Funding (12/21/99)	\$225,500	\$0	\$225,500		
DOC Additional Contract Beds Funding (12/21/99)	9,613,500	26,581,500	36,195,000		
DOC Contract Beds Monitoring Staff (12/21/99)	291,000	493,300	784,300		
DOC Planning and Institutional Staff (12/21/99)	103,500	447,100	550,600		
DOC Community Corrections Funding (12/21/99)	1,100,000	0	1,100,000		
DHFS Mendota MHI Body Alarms (12/21/99)	233,000	ő	233,000		
DHFS MA Targeted Case Management (12/21/99)	0	21,495,300	21,495,300		
DHFS Rainbow Successor (Westside Healthcare Assoc) (3/2/00)	500,000	0	500,000		
Misc. Appropriations Historically Significant Furnishings (9/16/99)	400,000	0	400,000		
UW Funding for Increased Enrollment (12/21/99)	0	3,800,000	3,800,000		
DWD Additional KIDS Budget Funding (5/3/00)	2,000,000	0	2,000,000		
Total Releases	\$14,466,500	\$52,817,200	\$67,283,700		
Remaining Reserved Balance	\$5,597,750	\$30,902,500	\$36,500,250		
Net Unreserved Balance Available	\$591,200	\$91,200	\$682,400		
Releases from Unreserved Balance					
DOA Funding for Additional ADAs (5/3/00)	\$0	\$235,300	\$235,300		
DOC Parole Commission Funding (5/3/00)	30,000	0	30,000		
HEAB Position Salaries (9/16/99)	16,000	Ō	16,000		
HEAB Funding of Act 9 Positions (5/3/00)	15,500	28,400	43,900		
Legislative Technology Services Bureau (12/21/99)	67,900	173,600	241,500		
Director of State Courts Research Staff (5/3/00)	16,000	24,000	40,000		
Total Releases	\$145,400	\$461,300	\$606,700		
Net Unreserved Balance Remaining	\$445,800	(\$370,100)	\$75,700		
TOTAL AVAILABLE					
(Net Reserved & Unreserved Balances Remaining)	\$6,043,550	\$30,532,400	\$36,575,950		

SUMMARY JOINT COMMITTEE ON FINANCE PR APPROPRIATION STATUS

(Incorporating Committee Actions thru May 3, 2000)

	1999-00	2000-01	1999-01 <u>Biennium</u>
Current Biennial Appropriation Amount [s. 20.865(4)(g)]	\$956,000	\$2,191,500	\$3,147,500
Reserved For: DOA Gaming Revenues for State Aid Program DHFS BadgerCare Premiums for Native Americans PSC Remodeling of Attorney Office Space R&L Funding for IT Consultants DOR Funding for IT Systems Development	\$500,000 300,000 84,000 72,000 0	\$500,000 400,000 0 72,000 1,219,500	\$1,000,000 700,000 84,000 144,000 1,219,500
Reserved Balance	\$956,000	\$2,191,500	\$3,147,500
Releases from Reserved Balance DOA Gaming Revenues for State Aid Program (5/3/00) PSC Remodeling of Attorney Office Space (12/16/99 s. 16.515)	\$500,000 84,000	\$0 0	\$500,000 84,000
Total Releases	\$584,000	\$0	\$584,000
Remaining Reserved Balance	\$372,000	\$2,191,500	\$2,563,500

SUMMARY JOINT COMMITTEE ON FINANCE FED APPROPRIATION STATUS (Incorporating Committee Actions thru May 3, 2000)

	<u>1999-00</u>	<u>2000-01</u>	1999-01 <u>Biennium</u>
- 1086p.			
Current Biennial Appropriation Amount [s. 20.865(4)(m)]	\$115,219,000	\$10,000,000	\$125,219,000
Reserved For:			
DWD Start-Up Funding For the Next W-2 Agency Contracts	\$3,519,000	\$0	\$3,519,000
DWD Contingency Fund	102,000,000	0	102,000,000
DWD Workforce Advancement and Attachment Funding	9,700,000	10,000,000	19,700,000
Reserved Balance	\$115,219,000	\$10,000,000	\$125,219,000
Releases from Reserved Balance		• • • • • • • • • • • • • • • • • • • •	
DWD-Workforce Advancement and Attachment Funding (12/21/99)	\$9,700,000	\$10,000,000	\$19,700,000
Total Releases	\$9,700,000	\$10,000,000	\$19,700,000
Remaining Reserved Balance	\$105,519,000	\$0	\$105,519,000

SUMMARY JOINT COMMITTEE ON FINANCE SEG APPROPRIATION STATUS (Incorporating Committee Actions thru May 3, 2000)

	1999-00	2000-01	1999-01 <u>Biennium</u>
Current Biennial Appropriation Amount [s. 20.865(4)(u)]	\$2,397,300	\$11,267,100	\$13,664,400
Reserved For: DATCP Pesticide Database Development PSC USF for 2000-01 TEACH Board Funds for Access Grants	\$400,000 0 1,997,300	\$0 8,000,000 3,267,100	\$400,000 8,000,000 5,264,400
Reserved Balance	\$2,397,300	\$11,267,100	\$13,664,400
Releases from Reserved Balance	\$0	\$0	\$0
Total Releases	\$0	\$0	\$0
Remaining Reserved Balance	\$2,397,300	\$11,267,100	\$13,664,400

SUMMARY

DETAIL OF JOINT FINANCE COMMITTEE APPROPRIATED LEVELS Status as of May 3, 2000

	1999-00	2000-01	1999-01 <u>Biennium</u>
20.865(4)(a) Appropriation Total Summary - GPR			
Act 4	\$400,000	\$0	\$400,000
Act 9 (Biennial Budget)	20,254,800 0	83,790,900	104,045,700 (500,000)
Act 52	0	(500,000) 520,000	520,000
Act 113 Proceeds from Sale of Public LandWinnebago Cty. Easement (Dec. 1999)	650	0	650
Current Total	\$20,655,450	\$83,810,900	\$104,466,350
20.865(4)(g) Appropriation Total Summary - PR Act 9 (Biennial Budget)	\$956,000	\$2,191,500	\$3,147,500
20.865(4)(m) Appropriation Total Summary - FED Act 9 (Biennial Budget)	\$115,219,000	\$10,000,000	\$125,219,000
20.865(4)(u) Appropriation Total Summary - SEG Act 9 (Biennial Budget)	\$2,397,300	\$11,267,100	\$13,664,400