

**Committee Name:**  
**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\_pt12d

**Record of Committee Proceedings**

99hr\_JC–Fi\_RCP\_pt00

~~INDIGUE FACTOR RECOVERIES REPORTING~~

S. 13.10 May 3, 2000



## Legislative Fiscal Bureau

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

April 17, 2000

TO: Julie Swiderski  
Diane Harmelink

FROM: Lori Hanson

SUBJECT: Agenda for May 3, 2000, s. 13.10 Quarterly Meeting

Following is a list of s. 13.10 requests which the Department of Administration has received, to date.

<u>Requesting Agency</u>	<u>Request</u>
DA's	Transfer 0.2 GPR FTE assistant district attorney position from Rusk County to Adams County
DOA	Release of \$500,000 PR expenditure authority for a management assistance grant to Menominee County
DNR	Supplement for gypsy moth suppression in quarantined counties
DNR	Supplement for managed forest law (MFL) program
DNR	Conservation fund fish and wildlife account administrative costs
DOA	PECFA Funding allocation for DNR and Commerce
CTS	Supplement of \$40,000 GPR for consultant for Committee to Study and Report on Methods of Judicial Selection
DOC	Supplement of \$30,000 GPR for Parole Commission supplies and services
HEAB	Funding (\$69,000) to convert 0.86 SEG FTE to 0.86 GPR FTE
HEAB	Approval of interstate education agreements between Gateway Technical College and the College of Lake County, Illinois and McHenry County College, Illinois
DWD	Request for \$2,000,000 GPR for the operation of the data systems in support of the child support program
DOR	Funding (\$493,700) and 2.5 FTE permanent positions for a cigarette excise tax tracking system
DOR	Supplement of \$21,129,300 SEG for Wisconsin lottery operations and credit administration

In addition to these requests, two reports have been filed with the Committee.

DOA	DOA position reports required under s. 13.10
DATCP	Gypsy moth suppression program

The following is a list of s. 16.515/.505 requests or 14-day passive review requests which have been objected to.

- ✓ *Commerce*  
✓ Commerce s. 16.505 PECFA 12.0 staff
- ✓ DOJ s. 16.505 PECFA special investigators
- ✓ DNR Stewardship request for Green Bay to Greenleaf trail purchase from Wisconsin Central, Ltd.
- ✓ DNR Stewardship grant to Kenosha County for 233 acres in the Towns of Wheatland and Randall
- ✓ DNR Stewardship grant to Waukesha County for 347 acres in the Town of Oconomowoc
- ✓ DNR s. 16.505 information technology positions \*
- ✓ DNR s. 16.505 space planner position
- ✓ DNR s. 16.505 Air quality education position
- ✓ DNR s. 16.505 Air construction permit staffing
- ✓ DNR s. 16.505 Air program asbestos abatement position
- ✓ TEACH TEACH Telecommunications access program
- ✓ OJA s. 16.54 local law enforcement block grants expenditure approval
- DOC Helgeson Industries contract under the private business/prison employment program review and approval. ✓  
Also need to schedule a public hearing.

# STATE OF WISCONSIN

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BRIAN BURKE

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ASSEMBLY CHAIR  
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## JOINT COMMITTEE ON FINANCE

### MEMORANDUM

TO: Members  
Joint Committee on Finance

FROM: Senator Brian Burke  
Representative John Gard  
Co-Chairs, Joint Committee on Finance

SUBJECT: Mail Ballot Addressing Gubernatorial Partial Veto of Certain Action Taken at the  
Committee's May 3, 2000, Meeting Under S. 13.10

DATE: May 26, 2000

On May 3, 2000, the Joint Committee on Finance met under s. 13.10 to consider several state agency requests. Among the items approved by the Committee was the expenditure by the Department of Natural Resources (DNR) 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 Land for the acquisition of 86.2 acres of land for Ellison Bluff County Park in Door County.

On May 23, 2000, Governor Thompson signed the minutes, approving the Committee's actions, but in doing so vetoed certain provisions related to this grant. The Governor's partial veto deleted the provision allowing DNR to utilize funding from the reauthorized stewardship program for the grant and the specification that the grant funding be taken from the natural areas component of the original program. Under the veto, the Department would be able to provide funding for the grant only from the original program, but no funding category would be designated. While nonprofit conservation organizations are eligible for funding from a variety of stewardship categories, DNR indicates that, if the veto were sustained, the funding for the grant would likely come from the natural areas and habitat areas categories.

The Governor's objections were received by the Committee on May 25, 2000. Attached to this memorandum are copies of the Governor's veto message, those portions of the minutes which were vetoed, and the signature page of the minutes of the May 3, 2000, meeting.

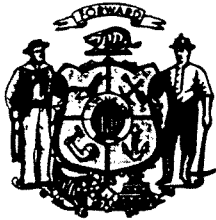
Pursuant to s. 13.10(4) of the statutes, we are conducting a mail ballot to determine if the Committee's May 3, 2000, action on this matter should be upheld, regardless of the Governor's veto.

Please indicate your vote on the question set forth on the accompanying ballot and return the ballot to our offices by noon on Friday, June 2, 2000.

BB:JG:dh

Attachments

Enclosure



**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:

wisgov@mail.state.wi.us

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

Vetoe  
in  
Part



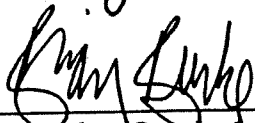
The presiding Co-chair made a unanimous consent request to receive the following reports: (a) (R-1) Department of Administration Position Report required under s. 16.50 on the number of federally-funded positions approved during the September to December 1999 quarter; and (b) (R-2) Department of Agriculture,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





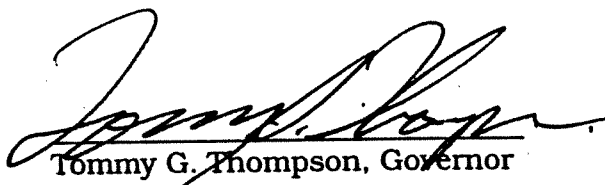
Daniel Caucutt, Secretary

Date: May 19, 2000



Brian Burke, Co-chair

Date: 5-22-2000



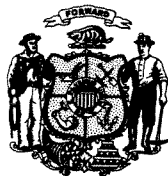
Tommy G. Thompson, Governor

Date: May 23, 2000

# STATE OF WISCONSIN

SENATE CHAIR  
**BRIAN BURKE**

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ASSEMBLY CHAIR  
**JOHN GARD**

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Madison, WI 53708-8952  
Phone: 266-2343

## JOINT COMMITTEE ON FINANCE

June 5 , 2000

Mr. Dan Caucutt  
Department of Administration  
101 East Wilson Street, 10<sup>th</sup> Floor  
Madison, WI 53703

Dear Mr. Caucutt:

On May 25, 2000, we received from the Governor, the signed minutes from the Committee's May 3, 2000, s. 13.10 meeting. In forwarding the minutes, the Governor indicated that he had vetoed one portion of the Committee's action.

Pursuant to s. 13.10(4) of the statutes, we conducted a mail ballot to determine if the Committee's May 3, 2000, action on this matter should be upheld, regardless of the Governor's veto.

The question put to the Committee members on the veto was as follows:

"Shall the May 3, 2000, action of the Joint Committee on Finance on Agenda Item XXIV, approving the use of funding from the reauthorized (as well as the original) Warren Knowles-Gaylord Nelson stewardship program, and specifying that the grant come from the natural areas and bluff protection components, for a \$1,555,355 grant to the Trust for Public Land for the acquisition of 86.2 acres of land for Ellison Bluff County Park in Door County be upheld, notwithstanding the objection of the Governor?"

The vote on the question was as follows:

Ayes, 8 (Burke, Decker, Jauch, Moore, Shibilski, Plache, Huber, Riley); Noes, 8 (Gard, Porter, Kaufert, Albers, Duff, Ward, Cowles, Darling)

Eleven affirmative votes being necessary, the action of the Joint Committee on Finance on Agenda Item XXIV, stipulating that funding for the Ellison Bluff grant come from the natural areas and bluff protection components of either the original or the reauthorized stewardship program, was not upheld.

The executed mail ballots and a copy of the memorandum which accompanied the distribution of the mail ballots are enclosed for the record.

Sincerely,



BRIAN BURKE  
Senate Chair



JOHN GARD  
Assembly Chair

cc: Governor Tommy G. Thompson  
Members, Joint Committee on Finance  
Secretary George Meyer, Department of Natural Resources

BB:JG:js

DISTRICT ATTORNEYS

Additional Assistant District Attorney Positions to Various Counties

Motion:

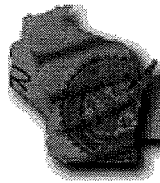
Move to: (a) approve DOA's request to transfer 0.2 GPR Assistant District Attorney (ADA) position from Rusk County to Adams County, effective January 1, 2001; (b) delete \$4,200 GPR in 2000-01 to reflect the cost savings associated with the difference in current wage rates between the Rusk County ADA and an ADA hired at the entry-level wage; and (c) provide \$239,500 GPR in 2000-01 and 5.0 GPR ADA positions to the District Attorneys' salaries and fringe benefits appropriation for ADA positions in the following counties: (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.

Note:

This motion provides ADA positions to counties as recommended by the Wisconsin District Attorneys Association (WDAA).

[Change to request: \$235,300 GPR and 5.0 GPR positions]

MO#	BURKE	DECKER	JAUCH	MOORE	SHIBILSKI	PLACHE	COWLES	DARLING	GARD	PORTER	KAUFERT	ALBERS	DUFF	WARD	HUBER	RILEY	
	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	X	Y	Y	ABS
																	1
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**WISCONSIN DEPARTMENT OF REVENUE**

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**April 14, 2000 - Court rules in favor of Farmland Use Valuation**

The hard-pressed farmers of Wisconsin just got a reprieve. The ruling today in Dane County Circuit Court allows assessors to value farmland only on its agricultural value.

Judge Robert Pekowsky refused to issue an injunction against the department sought in a lawsuit financed by State Senate Democrats. That means that Wisconsin farmland will be assessed fully on its agricultural value this year, as scheduled.

The judge has yet to rule on the plaintiff's request for summary judgment on based on the merits of the case. However, in his written decision Judge Pekowsky ruled: "Given the likelihood that the Department's interpretation of the statute and the Farmland Advisory Council's recommendation will be entitled to due weight deference, the Court concludes that the plaintiffs have not demonstrated a reasonable probability of success on the merits and are not entitled to a temporary injunction."

In the meantime, Senator Chvala's taxpayer-funded assault on the farmers of Wisconsin will continue at the rate of \$200 an hour in attorney fees. The pity is that not one member of his Democratic caucus will stand up to him and speak out on behalf of Wisconsin's embattled farmers who are sinking under the twin weights of low commodity prices and the nation's highest farm property taxes.

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The Wisconsin Department of Revenue on April 11 held a public hearing on whether a rule requiring farmland to be assessed solely according to its agricultural value should be made permanent. That is how farmland is currently assessed but the administrative rule authorizing it is only temporary and only affects the current property tax year.

Revenue Secretary Cate Zeuske promulgated an emergency rule on November 30, the day that milk prices plummeted to their lowest level since 1978. That action means that farmland this year is assessed fully on its agricultural value. The Department estimates that assessing farmland solely on its agricultural worth will reduce property taxes on pasture and cropland by \$41 million.

However, without a permanent rule in place, valuation of farmland year will lapse back to the phase-in formula.

The proposed permanent rule also specifies that land in federal or state agricultural programs is considered to be in agricultural use.

Proposed Administrative Rule

The public has until April 18, to make additional written comments. Comments may be addressed to

## STATUS OF 2000 COOPERATIVE AGREEMENTS WITH W-2 AGENCIES

- Last summer the State (DWD) informed Milwaukee County that we would have to sign individual contracts with the W-2 agencies for W-2 related I.M. services.
- In August 1999, John Jorgensen sent a letter to Howard Bernstein (DWD Legal Counsel) questioning the State's statutory authority to require Milwaukee County to contract with a private corporation (W-2 agency) for administration of the I.M. program.
- In January 2000, Howard Bernstein responded to John Jorgensen's letter. Mr. Bernstein stated -- "I am willing to agree that the arrangement between Milwaukee County and the W-2 agencies may be known and referred to as a cooperative agreement and not a subcontract."
- In February 2000, Jean Rogers amends the State/County I.M. contract to acknowledge that Ch. 49.143 (2) (d) requires cooperative agreements and that they are to be included by reference in the State/County contract.
- During the March Committee cycle, the County Board approves the 2000 State/County I.M. contract with the understanding that cooperative agreements will be developed with the W-2 agencies and attached by reference to the State/County contract.
- Since March we have continued to work with the W-2 agencies and the State to develop the language for the cooperative agreements. Each time we think there is agreement on the language, the W-2 agencies have changed their minds.
- On April 13<sup>th</sup> we met at the YWCA with the State and W-2 agencies to work out final details of an agreement. Everyone left the meeting agreeing on the language and April 28<sup>th</sup> was set as the date to meet again and sign the agreements.
- On April 20<sup>th</sup>, we were informed that the W-2 agencies reneged on what was agreed to on April 13<sup>th</sup> and instead rewrote the agreement to their advantage.
- The State acknowledged Milwaukee County had dealt in good faith and would work with the W-2 agencies to reach agreement.
- The most recent draft given to us on May 1<sup>st</sup> by the W-2 agencies fails to acknowledge that the State/County I.M. contract is the master document that governs our cooperative agreements.
- In addition to the frustration we have encountered with the W-2 agencies, the State still refuses to reimburse the County for the non-W-2 I.M. services it has provided since January 1<sup>st</sup>.
- The total non-W-2 contract with the State is \$19,846,356 for 12 months. The amount owed to Milwaukee County through April 30<sup>th</sup> is \$6,615,452.
- The total amount of the W-2 cooperative agreements is \$9,717,027 for 12 months. The amount owed to Milwaukee County through April 30<sup>th</sup> is \$3,239,009.

**NOTE: Since we have not signed the cooperative agreements with the W-2 agencies, we are only asking the State to pay the non-W-2 I.M. contract amount of \$6,615,452.**

RH:hf  
5/2/00