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March 28, 2001

Senator Russ Decker
Room 323 South
State Capital
P.O. Box 7882
Madison WI 53707-7882

Representative Greg Huber
Room 218 North
State Capital
P.O. Box 8952
Madison WI 53708-8952

Re: State Public Defender Budget

Dear Senator Decker and Representative Huber:

I am writing you regarding a crucial issue in our criminal justice system and state budget. Specifically, Governor Scott McCallum has proposed across the board budget cuts for the state of Wisconsin including the Office of The State Public Defender. The Supreme Court in Rule 81.02 (1) has set an amount that is reasonable for private attorney compensation, the State Public Defender budget should be tied to that level of compensation. Such action is long overdue.

As you know, I am a sole practitioner in the Wausau area and have been a supporter of you and the Democratic party. I am active in a variety of community activities as I believe that we all have an obligation beyond our own selves and our own pocket books. Some of my activities include membership on the board of the Marathon County Child Development Agency (Headstart), the aquatic committee of the Woodson YMCA (which should remain tax exempt!) and the board of Mount Sinai Congregation, where I am vice president. I do volunteer work with the Wausau Kayak course and the YMCA. On the legal side I take a significant number of both Public Defender appointments and Wisconsin Judicare, Inc. participating attorney cases. Interestingly, Wisconsin Judicare considers its \$40.00 per hour rate (same as the Public Defender rate) to be compensated *pro bono* activity.

The current State Public Defender (SPD) rate of \$40.00 per hour is obviously inadequate. The Supreme Court set the appropriate rate for compensation to private attorneys at \$70.00 per hour. That rate assumed a modest profit margin of \$10.00 per hour. That makes it clear that every hour of Public Defender representation costs the attorney approximately \$20.00. No other business is required to lose money when it does work for a state agency. Although I have not stopped taking SPD cases, nor do I expect that I ever will, I may in the near future have to seriously curtail the amount of SPD work that I do. In essence this is a tax on those who believe strongly in our system of Justice. Our constitutions provide that those accused of crimes in this country and this state are entitled to legal representation. It is what insures our freedom and sets us apart from all other nations.

Senator Decker and Representative Huber
March 28, 2001
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It is a travesty that in the greatest nation the world has ever known our people's basic civil rights depend on the kindness of strangers for protection and enforcement.

Russ and Greg, if there is anything that I can do to assist you in this critically important work please contact me. I will be happy to help in any way that I can.

Thank you for your anticipated prompt attention to this issue. I am currently planning on attending the Joint Finance Committee meeting in Marshfield on April 4, 2001.

Sincerely Yours,

S/3-28-01

Peter C. Rotter

cc: Gov. McCallum, 115E State Capitol, Madison WI 53702
Senator Brian Burke, P.O. Box 7882, Madison WI 53707-7882
John Birdsall, State Bar of Wisconsin, P.O. Box 7158, Madison WI 53707-7158

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March 28, 2001

Joint Finance Committee
State of Wisconsin

Honorable State Senators and Representatives:

As a private citizen, I am providing written testimony to you for the public hearing on the Governor's proposed budget scheduled for today in Eau Claire, to either augment my short testimony, or in lieu of testimony if I am unable to attend until such time as my name is called. My name is Harry R. Hertel, and I have been a small business owner since 1981. During that period of time, I have attempted to balance my professional obligations as an attorney with the needs of those who depend upon me as a family provider, and as an employer. I have been married for 28 years this coming May, and have been blessed with four children and one grandchild. I have attempted to provide a solid example to my family and my community of the ideals that an attorney should exemplify.

As part of that ideal, I have attempted to provide legal services to the indigent, doing civil work on a pro bono basis or through Wisconsin Judicare appointments, and criminal defense work through appointments from the State Public Defender's office. It has been my belief that every attorney should attempt to represent the less fortunate, those who lack the resources to obtain legal counsel at the rates we must charge to maintain our businesses and support our families.

My work in the criminal defense field has led to a number of experiences. I have been appointed as a Special Prosecutor in Eau Claire and Oneida Counties. I have served as a member of the Board of Directors of the Criminal Law Section of the State Bar of Wisconsin for the last six years. I have been a charter member and President of the Wisconsin Association of Criminal Defense Lawyers. Since 1995, I have been privileged to be appointed by Governor Thompson to serve on the State Public Defender Board. As a result, I have had the opportunity to meet with many other private bar attorneys who, like me, own their own businesses, as well as members of the administrative and trial staffs of the office of the State Public Defender.

During my tenure on the SPD Board, I have observed significant accomplishments on the part of the agency. Staff morale and creativity have been dramatically enhanced, an amazing information technology system has been implemented at a saving of millions of dollars to the taxpayer, and a system of collections has been created to offset a portion of the taxpayer contribution to the cost of the agency. The State Public Defender has been praised nationally for his efforts to represent the indigent in a fiscally responsible manner, and even other nations have

turned to him and his agency for guidance and support in creating structures to provide legal representation to the indigent. The recent granting of a Forward Wisconsin Award to the agency reflects on the quality of service and dedication, which the SPD has demonstrated. I take great pride in what has been accomplished by the State Public Defender, Nick Chiarkas, and his dedicated staff – not just as a Board member, but as a citizen of our great state.

In order to continue that level of quality that has been created, I understand that a budget proposal was submitted that would have sought as its primary goal the increase of fees paid to appointed counsel from the private bar. We have lost a significant number of competent attorneys, who are no longer willing to serve the needs of the poor, solely because the rate of \$40.00 per hour was insufficient to justify the sacrifice demanded by such representation. The average attorney's overhead in Wisconsin is \$60.00 per hour, and the Supreme Court recognizes that court-appointed counsel should be paid \$70.00 per hour at the present time. My own partner, Steve Gibbs, is highly competent in the field of criminal defense, but has made a determination not to take any Public Defender cases, due to the loss incurred each hour worked on a case. He too has a family, and cannot shirk his responsibility to provide sufficient cash flow for our office, so that salaries and benefits can be paid. I have handled many appointments in the past, but am now limited by statutory restrictions in private interests in public contracts. Were that barrier not in place, I would still be taking very few appointments, as it is fiscally irresponsible to my office and the staff and family for whom I must produce.

I have seen and experienced the effect of the erosion of competent members of the Bar from the ranks of private attorneys on the SPD list. My last appointment came from Barron County, 60 miles away, because closer counsel willing to take an appointment could not be located. I have accepted appointments from Marathon County for the same reason. Other attorneys have reluctantly taken on indigent clients up to three hours away, due to the lack of qualified private counsel in closer proximity. In a recent Chippewa County case, a former client of mine was determined indigent—and ended up with a Wausau attorney.

In addition, the attorneys who do remain on the list tend to be less experienced and, I hate to admit, less competent, than those who populated the list several years back. The result has been an increase in appeals based upon ineffective assistance of counsel, which creates greater appellate expense to the taxpayer, and greater burdens upon the court system.

The proposed private bar increase was, to me, a significant solution to the problem that had developed over the last several years. Much to my chagrin, I have learned that the increase has not only been rejected in the proposed budget, but that a 5% budget cut was submitted in the Governor's budget package. I believe this proposal fails to understand the manner in which our legal system mandates representation of the indigent, and would likely precipitate even greater cost to the taxpayers than would be saved if the budget were cut.

I understand that the 5% budget cut would result in approximately 50 staff attorney positions being eliminated. Since statistics do not suggest an impending 5% decrease in anticipated criminal activity or charging by the District Attorneys of our state, someone will have to represent those accused. The existing SPD staff is already overburdened with case levels greater than those of most other states' indigent counsel. The private bar would be the only likely alternative to provide the representation mandated by our Constitution and Courts. If paid for by the Public Defender, the cost will run one and one-half times that which is sought to be saved in this proposed budget reduction. If private counsel cannot be located, the Courts will make

appointments at County expense (an alternative already strongly opposed by the Counties' Association) or, by Court order, at SPD expense. Cutting the private bar rate will drive even more attorneys away. The proposed budget cut is impractical, and shortsighted.

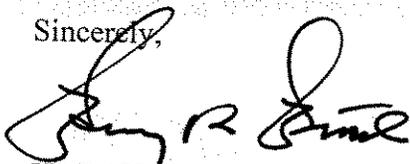
I strongly request that you consider the restoration of the 5% cut, as well as the proposed private bar increase. This is not a situation of providing some extraordinary luxury to criminals, but rather one seeking to provide a competent level of representation consistently to that portion of our society least able to exert influence on its own behalf. Taking such action will reduce ineffective representation, burdens on the Courts, and unnecessary appellate reviews. It will make good use of the taxpayer investment inherent in our system by securing circumstances where the innocent will have a greater chance of being exonerated and the guilty a better chance of being treated fairly. It is always a sign of the quality of civilization when one looks to see how society treats those perceived as least deserving of consideration. We note with pride the efforts of Wisconsin lawyers and law students to recently free from Death Row in Texas an innocent man. Unlike in certain states, our system has worked, and worked well in Wisconsin, but needs to continue to provide competent, meaningful representation. Rejection of the budget cut, and implementation of the increased private bar rates can accomplish that goal.

Do I wish my taxes to increase? Of course not. Will I personally see any benefit from increased private bar rates? No, because my practice is limited by the laws relating to conflicts of interest. Will I feel reassured that, in the long haul, we have avoided even greater costs by providing good, competent representation to the indigent? Without a doubt.

Please remove the proposed budget cut, and reinstate the private bar rate increase.

Thank you very much.

Sincerely,



HARRY R. HERTEL
Attorney

HRH/ms

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Welter
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& Brown LLP**

Howard D. White
John W. Welter*
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March 28, 2001

Senator Dave Zien
P.O. Box 7882
Madison, WI 53707-7882

Representative Tom Sykora
P.O. Box 8952
Madison, WI 53707-8953

RE: STATE PUBLIC DEFENDER BUDGET

Dear Senator Zien and Representative Sykora:

Please actively support increasing the State Public Defender private attorney compensation rate to the level recommended by the Wisconsin Supreme Court, and support exempting the State Public Defender from any base budget cut.

I have lived in the Chippewa Valley for the past 18 years and own a small business, a four-attorney law firm in Eau Claire. I am involved in various efforts to improve the access of the ordinary citizen to the court system, including being a volunteer mediator for Small Claims actions in Eau Claire County, and being a volunteer arbitrator for disputes between attorneys and their clients over attorney fees. I volunteer for such activities because the judicial system works best when people have access to competent attorneys to represent their interests. The entire society suffers when people perceive the system as being unfair (i.e., if you have enough money, you can buy your way out of anything). That is why it is critical our Wisconsin Public Defender office be adequately funded.

The overhead in our office equates to over \$60 per hour. The Public Defender is still paying \$40 per hour. I cannot afford to accept many Public Defender cases if I want to keep paying salaries and health insurance premiums for our support staff, and still have some money to bring home. I still accept a few Public Defender cases each year for the same reason I continue to do volunteer work - it is important to the community. However, I have to turn down numerous requests from the Public Defender's office to take additional cases. I simply can't afford to take on anymore cases that won't pay even the overhead, much less let me eat.

Thank you for your anticipated efforts in support of adequate funding of the State Public Defender. I will be contacting you in the future regarding the status of this budget item. If you have any questions, please feel free to contact me.

Sincerely,

Jill R. Schilling
Jill R. Schilling

c: Governor Scott McCallum

Senator Brian Burke and Representative John Gard, Joint Finance Committee Co-Chairs
State Public Defender Board

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Legal Court Interpretation and Service Needs
For
Eau Claire Area Hmong Community and Refugees
Budget Joint Finance
March 28, 2001

I am representing the Eau Claire Area Hmong Community and speaking on behalf of the refugee populations in the counties of Eau Claire, Chippewa, and another counties where refugees are residing. We have very concerned about the inappropriated interpretation in the courtrooms, the hospitals, the clinics, the private and public sectors. Many refugees who have been here in America should have an access to get certified interpreter when they need them. Interpretations and translations become a greater obsticled and problem for all minority and even for native speaking persons because of the language barriers. This is a nation of superiority, a nation of justice, and a nation of democratic system. The founding fathers of this country has set an equal opportunity and an equal access to all its citizens. The legal system has provide "due process" for all of its citizens.

I had an experience in the past. It took place when my uncle who was laid off. The employer told him that he could apply for unemployment benefit while he was not working. He went to apply for unemployment at that they asked to summarize of what happened to him. The interpreter had hardly understood the claim representative who worked on his case. He was actually eligible for unemployment but he did not get the benefit that he was entitled to. He was very upset about what happened to him so I went with him to the unemployment again to claim for his benefit after two months. He finally received his benefit.

Today, the refugees have been faced another critical legal issues. These issues are involved with the laws, regulations, policies, procedures, and legal terminologies. We have faced these problems days after days and continue from the past to the present. These problems bocome more challenge to all refugees and other people who have problems with the language that we all called "language barriers" and there are no certified interpreters who can commonly understand the master English language and its terminologies when you communicate in used of a commonly personal conversation and in the courtrooms.

We provided 900-1500 hours to do interpretation for the refugees with a small amount of fees to defray our operation costs. Those fees would not be enough to provide quality and technical trainings for our interpreters. It is very important to have more certified interpreters, have trained interpreters, and more professional interprtters. In addition, to provide quality services to meet the needs of the refugees and American citizens who were born outside of the United States.

Legal Court Interpretation Needs Continue
Page 2
March 28, 2001

These are the overall problems that we all should work together to achieve these common goals. For getting those common goals meeting the needs, we must have the available resources, financial budget, technology, and training. I and all the Hmong refugees would request the United States and local governments to pay a close attention to getting the budget to cover in these services (interpretation services, fees, and appropriate resources to be available for us) so we all can work together to get the job done.

I have concluded that we can achieve our goals (provide quality interpretation, trained interpreters, certified interpreters, and more available resources) if we have the appropriate resources (money) to provide and extend our services further to meet the needs of the people and the community. Thank you very much for giving me this opportunity to speak on behalf of the refugee community. God Bless You

For More Information, please contact:

Mr. See J. Vang, Executive Director
Eau Claire Area Hmong Mutual Assistance Association, Inc.,
423 Wisconsin Street
Eau Claire, Wisconsin 54703
Phone (715) 832-8420
Fax (715) 832-0612

Testimony at 2001-2003 Biennial Budget Hearing in Eau Claire on 3-28-01

I am David Jankoski, Mayor from the City of Stanley, home of the Stanley Correctional Facility.

First and foremost I am here to testify in favor of the funding in the budget for the operation of the Stanley Correctional Facility. Here are the points I would like to make to support such funding in the 2001-2003 Biennial Budget:

- 1. The time has come for the prison to be opened and for the State of Wisconsin to be able to bring some of it's out of state prisoners back to Wisconsin. The Stanley Correctional Facility can provide housing in a state of the art facility where inmates can begin to receive the rehabilitation that they need if they are to return to the community as productive citizens. The Stanley facility contains many classrooms and a work industry facility that can provide the opportunity for prisoners to learn job skills and demonstrate good work habits, both essentials in their being successfully reintegrated back into the community. In general prisoners living out of state are receiving little, if any, such rehabilitation services. As taxpayers we expect to have our prisoners receive more for our money. The families of out of state prisoners need to have the opportunity to be involved in their rehabilitation and the chances for that are more likely if they are living in state.**
- 2. The residents of Stanley, Western, and West Central Wisconsin want this facility to be able to provide them with jobs as witnessed by the nearly 500 of them attending an informational session on state prison job opportunities held in Chippewa Falls on Friday, March 23.**
- 3. The people of Western and West Central Wisconsin support the idea that the \$200,000 a day currently spent on the care of out of state prisoners should be spent in Wisconsin. They feel Wisconsin residents should be earning salaries for taking care of those prisoners and in turn pay taxes in this state rather than providing the residents of other states those salaries and those taxes.**
- 4. The Stanley prison is a good buy. In a position paper developed by our State Representative, Larry Balow, Legislative Fiscal Bureau figures quoted indicate that the Stanley prison will cost \$49,933 per bed compared to a cost of \$70,533 per bed in Red Granite and \$64,333 per bed at New Lisbon.**
- 5. Another very compelling argument for the Stanley prison should be the fact that it is ready for immediate occupancy. The state could move in as soon as they can assemble a staff and equip the place. Again, use of the Stanley facility allows for the state to bring back prisoners who are now housed out of state, and its use would also contribute to alleviating overcrowding in existing facilities.**
- 6. The bottom line is that I am here to testify in favor of the budgets funding for operation of the Stanley prison and the Building Commissions recommendation for its purchase.**

Joint Finance Committee Hearing
St. Joseph's Hospital
Marshfield, Wisconsin
April 4, 2001

Good Afternoon:

Thank you for your time and attention.

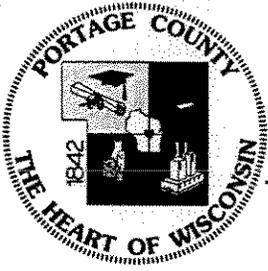
My name is Darlene Krake. I am a member of the Marshfield community and taxpayer in Wood County and am here today to share my concerns with the budget cuts proposed for the State Public Defenders Office.

As citizens of the State of Wisconsin we share both a constitutional and social responsibility to provide legal representation for those in our communities who cannot afford legal representation. In this state, a person is presumed innocent until found guilty in a court of law. We have an obligation to continue to ensure such rights for all people in the 72 counties that make up the state of Wisconsin.

The proposed five-percent cut to the state public defender budget will require the layoff of 50 staff attorneys to save \$3.2 million. Although 50 staff attorneys will be missing, the clients they would have served will not. In order to provide constitutionally mandated representation to those clients, the state public defender will be required to appoint private attorneys at a cost of \$5.8 million. As a taxpaying citizen of the state, I have a concern that this is not the most economically feasible way to provide this right for representation—and it is a right, not a service. Providing private representation will ultimately cost more than staff representation in the public defender's office. This additional cost will be underwritten by the taxpayers through county government.

The State Public Defender's Office is a jewel in the crown of Wisconsin with an internationally recognized program of excellence. This reputation has been earned over many years as a result of the recognition on the part of our legislature of the legal necessity and fiscal responsibility of the program and the dedication and social responsibility exhibited by the members of the agency. This program has served as a model for development of similar programs in other countries, as well as being nationally recognized. How shortsighted it would be to reduce the trial division of the public defender's office for short-term fiscal planning.

Darlene A. Krake
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715-384-3025
tkrake@tznet.com



PLANNING AND ZONING DEPARTMENT

1462 STRONGS AVENUE, STEVENS POINT, WI 54481 • PHONE: 715-346-1334 • FAX: 715-346-1677

April 4, 2001

Honorable Kevin Shibilski
and the entire Joint Finance Committee
State of Wisconsin, State Capitol Building
Madison, WI 53702

It is my understanding that Governor McCallum has proposed a 5% reduction to the budget of the State Public Defenders Office. This reduction is targeted at the trial division, and could result in the loss of 50 attorneys Statewide. It is both ironic and alarming that in a political climate that has fed off the "tough on crime" platform, that this Governor would not appreciate the impact of this recommendation.

The irony of this action is that he has supported the policies and practices of Governor Thompson for the past decade. A decade, during which, according to the National Association of State Budget Offices, demonstrates a 550% increase in correctional expenditures from 1990 to 1999. Wisconsin leads its closest competitor by over 250%.

As a member of the criminal justice system for twenty years, I have served as a Probation Officer, a Supervisor of Probation Officers, and currently serve as Justice System Administrator for Portage County. I am aware of the difference between representation of defendants by a State Public Defender or an appointed attorney (at State or County expense). Those differences lie in both cost and, at times, competency.

The alarm caused by this proposal reverberates throughout our system, community, and State. Let us see this proposal for what it is, an attempt to shift costs to the County. What it is not, is a savings to the taxpayers of Wisconsin.

Your consideration of my concern is sincerely appreciated.

Yours truly,

Kathy King
Justice System Administrator

KK:pac

April 4, 2001

In regard to Senate Bill 55:

To Whom It May Concern,

My name is Rachel Martin, a Parent Educator / Family Visitor for Children's Service Society of Wisconsin. I generally work in home as a Family Visitor with a Hmong partner in Wausau Wisconsin. Wausau also has a significant number of Hispanic community members. We often help our families deal with the day to day realities of life in the court and legal system. The people who become involved with the system haven't a clue what to expect. They do not always understand the English language, let alone the Legalese one finds in the courts. Interpretations can be unclear due to the interpreters lack of understanding or the lack of a literal translation of the terms in legal language. Many people in the court system cannot afford to pay fees to have an interpreter present. Family members, who have some English, are often asked to translate, creating difficulties through cultural traditions of generational respect prohibiting younger family members from saying certain things to elders. They don't always understand what they are being asked to do. There may also be a clear conflict of interest in having family members translate. I believe this infringes on their rights to fair treatment. The courts are failing to help these people understand what is happening and what is expected of them.

Specifically trained court or legal interpreters are essential to meet out fair treatment to all community members. Training would prepare interpreters to give clear and concise translation of the terms and expectations of the court. Trained court interpreters, I believe, could cut court costs resulting from badly translated terminology.

For example: One mother that I visit had a bad experience with Probation and Parole. The Court Order that put this mother on Probation was never explained to her. When the rules and terms of Probation were explained she did not understand what they meant or why they were so important to follow. This misunderstanding lead to her being put in jail for non compliance. As a result, child care had to be provided for her 7 children, she missed work, resulting in loss of income, straining the family resources, and her husband got so angry that he made threats to the Probation Agent over the phone. A police officer was called to the Agent's office to guard him until my partner and I could go in to talk to the husband and diffuse the situation. Someone who knew what they were doing, needed to explain the terminology and rules of the court order and the importance to the family that the mother comply.

Another mother that I visit went through a divorce with her husband acting as interpreter. He definitely did not stand up for her rights in court. She came away from the proceedings with nothing for her and the children to survive on. This put further financial demands on other branches of government. Just how fair is that for her and the taxpayers. Why was she not entitled to have a non biased court appointed interpreter translate for her?

In conclusion, I feel that trained court and legal interpreters would result in a smoother flow of justice for non English speaking members of the community. Taking it one step further, trained interpreters are needed in other areas of society as well. For example, other government social agencies and the medical profession. The cost of training these interpreters would be vastly repaid by the lower overall costs required to deal with return cases of people who don't know or understand what is required of them. Everyone has a right to equal and fair treatment.

Thank you,

Rachel Martin

Friday, April 20, 2001

Wisconsin Senator Brian Burke
Senate Chairperson of the Joint Finance Committee
Wisconsin State Capitol Building Room 316 South
Madison, WI 53702

Sir:

I am a retired Milwaukee Police Detective with twenty-five years of law enforcement experience. I am writing this letter of support for the Wisconsin Public Defenders.

Since November of 1998 until my retirement in March 2001 I was assigned at the Milwaukee Safety Academy where I taught Police Recruit and Officer In-Service training programs. During this assignment I worked with the Public Defenders in providing courtroom mock trial training for recruit officers. The recruits learned a great deal from this valuable experience in preparing and testifying in a court simulation experience. The recruit officers took their learning more seriously when they discovered they were going to have to testify regarding their police actions in other parts of their training. This program provided the recruits with a stronger knowledge base to go forward into the community and enforce the laws with respect and wisdom of personal Constitutional Rights and civil liberties. This proactive and preventive training program I feel will save the City of Milwaukee large sums of money for lawsuits resulting in possible violations of an individuals Civil and Constitutional Rights.

Since the mock trial program's inception former recruit officers have formed a closer working professional relationship and respect for the Public Defenders. When I first started as a police officer I did not trust or respect any Public Defender. Over the years working as a Detective on very serious and violent cases I found the Public Defenders were working toward the same goal; to find the truth and obtain justice for our citizens in Wisconsin. Today, I have a great amount of trust and respect for the Public Defenders. Without any reservation I totally support their efforts and I hope they will receive your support.

Sincerely,



Timothy J. Manzke
Retired Detective Milwaukee Police Department

**Testimony before Joint Finance
2001/2003 State Biennium Budget
April 20, 2001**

**Submitted by: Karen Ordinans
Milwaukee Co. Board Chairman**

Good morning, Mr. Chairman and members of the committee. My name is Karen Ordinans, Chairman of the Milwaukee County Board of Supervisors. Last year, state judges in Milwaukee County sentenced over 300 juveniles to state institutions at a cost of \$56,239 per kid. This amount is charged against Milwaukee County Youth Aids funding, which was originally intended to cover juveniles placed in institutions and to help counties pay for community programming and early intervention. This year, all of Milwaukee County's Youth Aids dollars will be spent on juveniles sent to state-run or other privately held child caring institutions. The cost will rise \$8,000 per juvenile as compared to last year, to a sum of \$64,000.

The property tax payers of Milwaukee County and their local elected representatives have no say about what youth are sent to these institutions. They have no say about the treatment or services these youth receive, or about the product that is then returned to their community.

The proposed state budget increases the state's charges for state institutions by a total of 14% over the biennium. Other childcare institutions will be allowed to charge whatever they want. Projections are that local property tax payers will subsidize incarcerating juveniles by at least \$3.3 million during the next year and as a result, we will have to cut the very program in our community that provides early intervention into these kids' lives, which is meant to prevent placement in an institution. Increases of 14% would not be tolerated in local government departments.

When there is an audit of a Milwaukee County department, we expect that the recommendation of the auditors will be followed. The state's own Legislative Audit Bureau reported the deficiencies in Youth Aids but no corrective action was taken to rectify them. When the State of Wisconsin contracts with non-profit agencies or counties for service, the state specifies standards and holds the parties accountable. You expect certain outcomes and invoke sanctions if the outcomes are not met. When it comes to Youth Aids and the incarceration of juveniles, I urge the State to expect of itself what it expects of others. Put the same demands on yourself as you put on others. I ask that the state seriously review its public policy relative to juvenile delinquency. Make it a priority. The data and evidence shows that early intervention can make a positive difference in the lives of these kids. Provide us with funding up-front so we can invest resources to help these kids early on and avoid sending them to institutional care.

A move in this direction may result in fewer kids in state institutions and cause problems within your bureaucracy. You may hear from the vendors who run the private institutions about the potential harm brought to them if they would lose the state's business. I suggest to you that our responsibility is not to keep the institutions, either state or private, in business, but to serve the kids in a manner that best suits their needs.

MILWAUKEE COUNTY
OFFICE OF THE SHERIFF
ADMINISTRATIVE BUREAU
inter-office communication

DATE: April 20, 2001
TO: Joint Committee on Finance
FROM: Leverett F. Baldwin, Sheriff, Milwaukee County
SUBJECT: GOVERNOR'S 2002-2003 PROPOSED BUDGET

There are many areas of concern that pertain to Governor McCallum's proposed budget for 2002-2003. At this time, I would like to address three specific budgetary issues that will have a direct impact on the Milwaukee County Sheriffs Department and the citizens of Milwaukee County.

EXPRESSWAY PATROL AIDS:

The Governor's budget does not increase funding in either year for patrolling of the expressways by the Milwaukee County Sheriffs Department.

Every day the Milwaukee County Sheriffs Department expressway patrol division patrols approximately 72.1 miles of expressway in Milwaukee County. In the year 2000, this department investigated 6,032 vehicle crashes, five of which involved fatalities; assisted 20,740 motorists stranded with disabled vehicles; and arrested 893 persons for 'Operating a Vehicle While Intoxicated'.

By agreement, the State has previously paid Milwaukee County to offset its' costs to patrol the Milwaukee County freeway system. The Sheriffs Department costs to patrol the expressways in Milwaukee county are projected to increase by \$637,675 in 2002 and by an additional \$326,870 in 2003, due to assumed salary and cost of benefit increases for deputies assigned to patrol the expressways.

Without any corresponding increase in revenue from the State, the Milwaukee County property taxpayer will bear these costs or the Sheriffs Department may have to implement service reductions which would adversely impact the quality of service now provided to the State's busiest expressway system.

VICTIM/WITNESS REIMBURSEMENT:

The Governor's proposed budget recommends a reimbursement rate, to counties providing victim/witness services, of 64.5% in fiscal year 2002 and 62.58% in fiscal year 2003.

Since 1982, when the original agreement was reached between the State and Milwaukee County for the Sheriff to provide this critical service, the Milwaukee County Sheriffs Department Witness Protection Unit has provided a wide range of services to victims of and witnesses to crime.

GOVERNOR'S 2002-2003 PROPOSED BUDGET

The average rate of reimbursement the department received for the last four years is 72.25%. Under the Governor's proposed budget, we will have to consider elimination of some of the victim/witness services the witness Protection Unit currently provides unless the current average rate of reimbursement of 72.25% is maintained. It is important to note that our Witness Protection Unit experienced a 30% increase in case referrals for 1999 to 2000 and that trend is continuing in 2001.

STAFF REDUCTIONS AT THE STATE PUBLIC DEFENDERS OFFICE:

Public Defenders play a vital role in the overall efficiency of the Criminal Justice System. A reduction in the number of Public Defenders will adversely impact inmate populations in Milwaukee County. The Milwaukee County Jail is designed to function based on the efficient processing of prisoners and their cases through the criminal courts. Staff reductions in the Public Defender's Office will exacerbate our inmate population problem and would be detrimental to both the Criminal Justice System and Milwaukee County citizens.

Leverett F. Baldwin, Sheriff
Milwaukee County, Wisconsin

**MILWAUKEE BAR ASSOCIATION
RESOLUTION IN SUPPORT OF ELIMINATING THE PROPOSED CUT
IN THE STATE OF WISCONSIN 2001-2003 BIENNIUM BUDGET FOR THE
OFFICE OF THE STATE PUBLIC DEFENDER**

WHEREAS, the Milwaukee Bar Association (MBA) is a professional organization with a membership of over 2,500 attorneys living and working in the greater Milwaukee area; and

WHEREAS, since its founding in 1858, the Milwaukee Bar Association has been committed to the advancement of the rule of law and to the fair administration of justice; and

WHEREAS, Wisconsin's commitment to equal justice under law is reflected in its longstanding right to counsel provision in the Wisconsin Constitution; and

WHEREAS, the State Public Defender's office (SPD) has demonstrated for years that it is efficient at providing state-funded criminal legal services for the poor, and at maximizing use of the public fisc, evidenced in being the recipient of the 2000 Wisconsin Forward Award for its well-managed and cost-effective office; and

WHEREAS, the requirement of state agencies to "cut" their budgets in the 2001-2003 State of Wisconsin Biennium Budget unreasonably compromises the state's right to counsel obligations under the Constitution, obligations entrusted to the SPD to carry out for all citizens, especially the Constitutionally indigent; and

WHEREAS, the proposed 5% base cut can only fall on the personnel costs associated with direct client services -- services intended to supplant county costs when the SPD agency was created; and

WHEREAS, the members of the Milwaukee Bar Association know that the professional standard of competent representation would be needlessly undermined by defunding attorney positions such that caseload responsibilities and supervision ratios would far exceed national standards and limits; and

WHEREAS, the proposed base cut interferes with established purposes and principles behind the Office of SPD and has the effect that the private bar will have to assume the state's responsibility to provide counsel -- an effect that benefits neither the private bar nor the state; and

WHEREAS, the right to counsel will not only be deprived due to funding decreases but also the costs associated with providing counsel to the Constitutionally indigent will be shifted from the cost-efficient SPD to substantially costlier private bar attorneys and, it is reasonably anticipated, to the counties' fisc through increased court-appointment of counsel; and

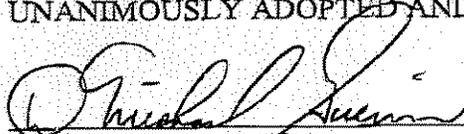
WHEREAS, the Milwaukee Bar Association is located in Milwaukee County, from which originates a substantial number of clients needing and utilizing the representation of attorneys from the Office of State Public Defender, and which county would likely bear most of the projected program cut of 50 staff attorneys; and

WHEREAS, the private bar cannot alone provide the breadth and depth of representation provided by an adequately funded and staffed SPD office, but rather works best in partnership with the SPD in providing the Constitutionally mandated right to counsel; and

WHEREAS, it is imperative that the right to counsel for poor people charged with crimes, or otherwise facing deprivation of liberty, be uncompromised by an "across-the-board" budget cut - a cut which undermines the administration of justice and which the justice system cannot otherwise accommodate;

NOW, THEREFORE, BE IT RESOLVED that the Board of the Milwaukee Bar Association commends the SPD for its important contributions to the administration of justice in Wisconsin, and urges the legislature to support base funding of the SPD in the State of Wisconsin's 2001-03 biennial budget at least at the level of funding provided in the State of Wisconsin's 1999-2001 budget, so that it can minimally meet its representation obligations.

UNANIMOUSLY ADOPTED AND SEALED THIS 28TH DAY OF MARCH, 2001



D. MICHAEL GUERIN
PRESIDENT
MILWAUKEE BAR ASSOCIATION

**MILWAUKEE BAR ASSOCIATION
RESOLUTION IN SUPPORT OF
SUPREME COURT RATES FOR PRIVATE BAR ATTORNEYS
IN THE STATE OF WISCONSIN 2001-2003 BIENNIUM BUDGET FOR THE
OFFICE OF THE STATE PUBLIC DEFENDER**

WHEREAS, the Milwaukee Bar Association (MBA), founded in 1858, is a voluntary professional organization with membership of over 2,500 attorneys living and working in the greater Milwaukee area; and

WHEREAS, over 25% percent of the attorneys licensed in Wisconsin who practice in Wisconsin practice in Milwaukee County; and

WHEREAS, the Milwaukee Bar Association works to improve the delivery of quality legal services to the public and serves as the recognized voice of and center for the legal profession in greater Milwaukee; and

WHEREAS, the Milwaukee Bar Association Board of Directors appreciates the valuable work done by the Office of the State Public Defender (SPD) in carrying out the U.S. and Wisconsin Constitutional provisions that all citizens have a right to counsel; and

WHEREAS, the private bar works best in partnership with the SPD but cannot alone provide the breadth and depth of representation provided by an adequately funded and staffed SPD office providing the Constitutionally mandated right to counsel; and

WHEREAS, the SPD relies upon and incorporates into its office the legal representation services of private bar attorneys, and the courts appoint counsel for the indigent under their inherent authority to assure that the representation rights of litigants before them are preserved; and

WHEREAS, the Milwaukee Bar Association Board of Directors appreciates the valuable work done by private bar attorneys, working in partnership with the SPD, to advocate for those whose liberty is at risk but who otherwise would not have the voice of an advocate; and

WHEREAS, the Milwaukee Bar Association Board of Directors recognizes that the attorneys who are court-appointed to represent indigents, or who accept SPD appointments are compensated at a rate of \$40.00 per hour, substantially below the current Supreme Court designated rate of at least \$70.00 per hour (Supreme Court Rule 81.02(1)); and

WHEREAS, the Milwaukee Bar Association Board of Directors believes that private bar attorneys should not be asked to substantially and personally subsidize the costs of constitutionally mandated legal services which are legally the responsibility of the state; and

WHEREAS, the Milwaukee Bar Association Board of Directors recognizes that the attorneys who are court-appointed to represent indigents or who accept SPD appointments may

not be able to accept such appointments if the compensation is so inadequate and fiscally unrealistic that the attorney appointed cannot cover overhead due to the low rate of compensation; and

WHEREAS, the Milwaukee Bar Association Board of Directors understands that in Milwaukee County a substantial cut to SPD services may occur under current unreasonable budget proposals and, as in other court appointment counsel situations, the Milwaukee County SPD and judges may experience increasing difficulty finding experienced attorneys who will accept public defender appointments due to the current rates of compensation; and

WHEREAS, the inadequate compensation of qualified and experienced counsel adversely affects the administration of justice by depriving classes of individuals most in need of representation by court appointed counsel; and

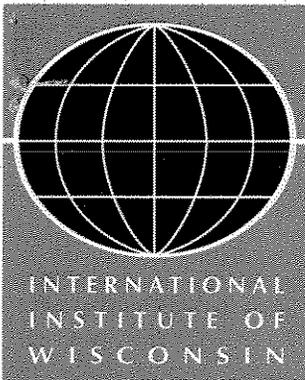
WHEREAS, equal access to justice for Constitutionally indigent Milwaukeeans should not be compromised by funding policies that undermine Constitutional principles by focusing on the affordability of counsel rather than the government's responsibility to provide counsel;

NOW, THEREFORE, BE IT RESOLVED that the Milwaukee Bar Association respectfully recommends and requests that the State of Wisconsin 2001-2003 Biennium Budget include the State Public Defender's priority to pay private bar attorneys the hourly rate specified under Supreme Court Rule 81.02(1), currently \$70.00.

UNANIMOUSLY ADOPTED AND SEALED THIS 28TH DAY OF MARCH, 2001



D. MICHAEL GUÉRIN
PRESIDENT
MILWAUKEE BAR ASSOCIATION



1110 NORTH OLD WORLD
THIRD STREET, SUITE 420
MILWAUKEE, WI 53203, USA
414/225-6220 FAX:225-6235

April 20, 2001

To the members of the Joint Finance Committee:

The International Institute of Wisconsin is a social service agency addressing the needs of immigrants and refugees and have been providing interpretation services to the courts, health care, business and community in Southeastern Wisconsin for 70 years in some 55 languages. We are contacted on a daily basis to send Spanish, Bosnian/Croatian/Serbian, Albanian, Hmong, Arabic, Russian, Polish, Laotian, Punjabi and German interpreters (our 10 most-requested languages in 2000) into these situations.

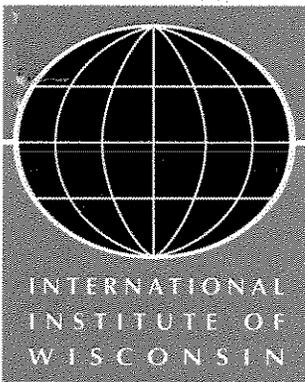
To ensure the quality of these interpreters, we test the language abilities and provide them with the fundamental training for them to adequately perform their responsibilities. Furthermore, all must follow the Interpreter Code of Ethics. Many other interpreters in Wisconsin do not undergo such fundamental screening and training. The only examination of their qualifications they are given at the court, if any, consists of yes and no questions about their language skills. Clearly, this is little to no indication of one's linguistic capabilities, let alone their skills in interpreting.

Wisconsin's minority, immigrant and refugee populations are rapidly expanding. The 2000 census reports a dramatic upswing in Wisconsin's Hispanic community, and unrest in the former Yugoslavia, Somalia, the former Soviet Union and South East Asia has led to a refugee population of some 60,000 in the state, according to the Wisconsin Office of Refugee Resettlement.

As a provider of direct services to more than 1,000 refugees and immigrants each year, we at the International Institute come into daily contact with people who could not possibly function in a courtroom without an interpreter. Refugees do not have time to prepare for their journey to America, and if they find themselves in a foreign courtroom, they will more often than not have little to no idea what is happening. These are people who work full-time jobs to support their families and send their children to school to learn the English that they, themselves, will possibly never master. English as a Second Language classes are few and crowded in Wisconsin.

Because of this, limited-English proficient (LEP) people are often discriminated against in the Wisconsin State Court System.

On January 16th of this year, the U.S. Department of Justice issued a guidance memorandum for the justice system to come into compliance with Title VI of the Civil Rights Act of 1964. According to the U.S. Department of Justice, "failing to ensure that LEP persons can effectively participate in or benefit from federally assisted programs and activities or imposing additional burdens on LEP persons is national origin discrimination." If a person cannot understand what is happening



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around him or her in a courtroom, they are denied their right to protection from discrimination. They are denied their right to due process.

Currently, the court system in Wisconsin faces two major and issues:

- The quality of the interpreters in use
- The state reimbursement to counties for interpreter services

These two issues are intertwined. Blatant disregard for ethical interpretation is commonplace, with judges requesting defendants, witnesses, and claimants to bring their own family members, friends, or otherwise bilingual acquaintances to interpret on their behalf in court. These bilingual persons are ethically inappropriate and ill-equipped to perform these important services.

Next, to ensure the use of qualified interpreters, the current state reimbursement rate to the counties of \$35 per half day per interpreter is woefully inadequate. As the state average for the use of an interpreter is \$40 per hour, this places the burden on the counties and provides little incentive for them to locate qualified interpreters.

Furthermore, the only occasions the state reimburses the county for interpreter use (and therefore, the only times the courts request an interpreter to be present) are in criminal cases in which the LEP defendant, witness or parent (in juvenile cases) is indigent. If the LEP person is found to not be indigent, the cost of the interpreter is their own responsibility.

Therefore, we recommend the following:

- Expansion of the use of interpreters in the court system to include civil and non-indigent LEP persons
- Support for the certification movement already underway in Wisconsin, and the training to create certified interpreters in the courts
- An increase in the reimbursement rate to the counties for the use of interpreters

To achieve the goals mentioned above, we strongly support the proposed \$1.8 million program of the Wisconsin Supreme Court-appointed Committee to Improve Interpretation and Translation in the State Courts.

Sincerely,

Alexander P. Durtka, Jr., ACSW, CFE
President and CEO

**HOSEA Statement In Support of Funding For 21st Century Community Learning Centers
Presented April 20, 2001 to the Joint Finance Committee of the Wisconsin State Legislature
by Joel Gaughan**

Hello my name is Joel Gaughan and I am a member of HOSEA, which stands for Hope Offered through Shared Ecumenical Action. HOSEA is faith based justice organization with 13 congregations in Milwaukee and the surrounding suburban communities of Cudahy, West Allis, New Berlin and Hales Corners. HOSEA is also a member of WISDOM, which includes our sister organizations MICAHA in Milwaukee, RIC in Racine, CUSH in Kenosha.

HOSEA has reviewed the proposed Thompson/McCallum budget and is alarmed with some priorities that have been set forth. For example budget increases for Corrections and prisons have consistently been approved throughout the past several budgets.

WISDOM believes that Gov. McCallum should be more focused on **prevention** rather than **correction**. What can we do together to prevent our youth from ending up in jails in the first place? We believe that we must continue to provide alternative opportunities for our youth early on; in elementary, middle and high school.

Wisconsin school districts already have one such resource in place called the 21st Century Community Learning Centers or CLCs. CLC after school programs have proven extremely effective in offering a safe and productive alternative to drugs alcohol and gang involvement. The CLCs are being used in about 42 WI school districts. That represents about 170 individual CLC program sites throughout WI. .

Some of the benefits of CLCs include:

- A safe place for children and youth to go after school.
- Improved student achievement, school attendance and graduation rates.
- Reduced juvenile crime rates, as well as victimization during high crime hours from 2PM-8PM.
- Strengthening of community relationships between adults and youth

74 of those CLCs programs are about to lose their federal operating funds during the 2001-2003 biennial budget cycle. It would be a violation of the community standard to let these vital and necessary programs expire because our priorities are more focused on spending funds to build strong prisons rather than to build strong youth.

The cost to maintain the 74 CLC sites for at least two more years at 100% of the current operating level will be approximately \$11 Million. WISDOM is very happy to hear that State Senator Brian Burke has already agreed to introduce an amendment to the budget to fund the 74 CLCs at \$ 8.6 million. This will support about 75% of the operating costs.

Senator Burke, we are thankful for your vision and support and consider this a great stride towards the correct goal. However, because our youth need and deserve **100%** of our commitment we ask you and all the JFC members to consider looking further in an effort to find funding for **100%** of the CLC costs. As a faith-based organization, we are also not in the habit of robbing Peter to pay Paul. In other words, we do not want funding for CLC's to be paid for by cuts in other necessary items in the education budget. We want to be very clear on this point: we are asking you to locate funds for CLC's from outside the regular education budget. Depleting the education budget even further would defeat the purpose for which we are fighting.

DISTRICT ATTORNEY

Brown County

300 EAST WALNUT
P.O. BOX 23600
GREEN BAY, WISCONSIN 54305-3600

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DISTRICT ATTORNEY

PHONE (920) 448-4190
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Victim Witness Coordinator

Karen H. Dorau
(920) 448-4194

Assistant District Attorney

Roger J. Shaha
Patrick C. Hitt
Lawrence J. Lasee
Mary M. Kerrigan-Mares
Steven J. Madson
Kevin A. Rathburn

Assistant District Attorney

Dana J. Johnson
Wendy W. Lemkuil
John F. Luetscher
Kendall M. Kelley
Donsia R. Strong Hill
Beth Rahmig Pless
Amy R. Greenwood

April 20, 2001

Joint Finance Committee

RE: Additional Prosecutors needed in Brown County

Dear Chairman Gard, Chairman Burke, and Committee Members:

I am Susan Tilot and I am the Administrative Supervisor in the Brown County District Attorney's office. As our office testified to in Peshtigo and in Madison, I am here today to again plead for additional prosecutors for Brown County. We need additional help NOW. For years, our office has been requesting and pleading for assistance and no help arrives. I am privileged to work with the most dedicated staff of attorneys and support personnel in the State. The support staff works weekends in the attempt to catch up on our backlog of cases. The attorneys meet with victims on weekends, as they have no other time to meet due to their caseload and their time in Court. The attorneys arrive early, leave late, and work during their vacations in what often seems to be a futile attempt to advert the avalanche of criminal referrals that are mounting on their desks, their floors, and their bookshelves. I am afraid that one day I will walk into the office and this dedicated staff will not be there, as they will all have left for better working conditions elsewhere. We keep telling them that things are going to get better, but year after year we are disappointed. Soon they will put their hands up and surrender. Things just are not going to get better unless we get help. We need that help now, in this budget.

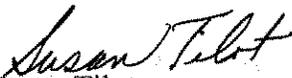
A crime victim called me Wednesday. She had been badly beaten and her attacker had not yet been given a court date. She was wondering when he was going to be charged. She and her two small children were living in fear of this individual who had not yet been apprehended. I informed her of the name of the assistant district attorney who had been assigned the file. She asked if she could talk to the attorney or set up an appointment to meet with her. I had to inform her that the attorney was now in Court and would try to call her when the attorney got out of Court. On Thursday, the victim called again indicating that she had not yet received any response from our office. I had to inform her that the attorney once again was in Court. We do not have enough

attorneys to cover Court appearance, prepare for trials and meet with witnesses or victims. She asked me when she could expect her attacker to be brought to justice. What am I suppose to tell her? –The statute of limitations for a felony are six years.

The amount of backlog referrals in our office continues to grow. Effective victim rights legislation should include having enough attorneys to tend to these referrals better. Our not having help should cause you to be concerned, concerned for public safety and the right to feel safe in your own home.

Please send help. Your assistance is appreciated. Thank you.

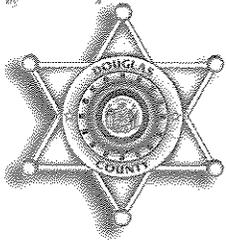
Sincerely,


Susan Tilot
Administrative Supervisor

END



END



Douglas County Sheriff's Department

1409 Hammond Avenue • City-County Complex • Superior, Wisconsin 54880-2793

I have come to ask the committee to consider three issues. These issues revolve around corrections and jail problems First; AB 197, full payment for Probation and Parole holds, Second; funding of medical health intervention and treatment within the jail system and Third; Protective Status for Jailers AB 48.

Under the current system, P&P clients are placed in county jails for various reasons, too numerous to catalog at this meeting. The DOC has its own method of tally as to which days they will pay the counties. The legislature provides limited funding for this activity. At year's end days held, are divided into the fund. Counties are reimbursed at this rate. In the last 2 years the rates were \$34.00 and \$37.00 respectively. Douglas County as an example often had to house prisoners in another jail at a rate of \$55.00/day plus transportation. (See attached)

On this issue, the legislature treats its budget as a limited pot of money. This is good fiscal management. However, that practice forces counties to have an open checkbook. Counties are forced to make up the difference between the reimbursement rate provided by DOC and the actual costs of housing state prisoners. Let's move on to the second issue.

Some 20 to 25 years ago laws changed in Wisconsin on mental health. As a result of those laws and certainly other factors, Jails have become the mental hospitals of the 21-century. The need for medical health intervention is large, growing and immediate. The burden falls disproportionately upon the counties, which can least, afford to provide these services. All sheriffs realize the need for care. Partial funding would provide incentive and help counties to obtain the services. Why are these services needed? As an example Douglas County is currently being sued over an incident in which an inmate managed to take apart a disposable razor and disembowel himself. He told his mother after the event that his intention was to pull his heart out. He lived and is being cared for. I can't say that psychiatric care would have prevented this incident but there is every possibility that had more treatment been available it might have been prevented. This is just one incident amongst many and only one incident within one county. There are stories for every county in Wisconsin. I ask that the legislature provide funding to offset the cost of providing adequate mental health care and treatment for jails.

My final point is AB48. Protective Status for Jailers in the State of Wisconsin is long overdue. The work conditions for jailers are well within the guidelines for protective status. The job has been evolving over the years. It is no longer a matter of simply locking up a drunk and letting that person out in the morning. Our jailers are responsible for dealing with the most dangerous people in our communities. Where do our murderers, robbers and rapists go to await trial. Our jails. I have already talked about the issues of

mental health that they are called upon to deal with. A large portion of the inmate population is drug dependent and an increasing number have communicable diseases.

This is a practical matter. Wisconsin is projected to have a shortfall of jailers and correctional officers in the near future. Correctional Officers have protective status. Jailers may or may not. Sheriff's that I have spoken with have remarked on the difficulty of finding the quantities and quality of jailers needed to do the job. Protective Status helps to make the position more attractive. Additionally this should not be left as a local option. It is just as important an issue as is protective status for firefighters and law enforcement officers.

Corrections issues compete with issues such as education. They compete with things that are more easily embraced. The issues will not go away and if left unfunded and unsupported, the problem will get worse. I ask that you support funding for mental health, AB48 and AB197.

A handwritten signature in cursive script, appearing to read "Richard Pukema". The signature is written in dark ink and is positioned above the printed name and title.

Richard Pukema
Sheriff

Probation & Parole Inmates 1999

	Actual # of P&P Inmates	Actual # of Days Incarcerated	Actual Total \$ Amount	# of Inmates P&P Reimbursed	# of Days P&P Reimbursed	Total \$ Amount P&P Reimbursed
January	31	208	8320	10	53	2120
February	20	164	6560	5	62	2480
March	14	132	5280	5	42	1680
April	19	179	7160	6	34	1360
May	31	351	14,040	11	114	4560
June	25	240	9600	9	85	3400
July	36	425	17,000	6	97	3880
August	35	517	20,680	9	130	5200
September	32	398	15,920	12	128	5120
October	28	334	13,360	No record	No record	No record
November	29	327	13,080	7	77	3080
December	32	515	20,600	8	156	6240
Totals	332	3790	151,600	88	978	39,120

\$112,480 is the difference between what Douglas County was reimbursed for and the actual amount incurred for Probation and Parole inmates.

We were not reimbursed for 244 inmates and 2812 days.

Probation & Parole Inmates 2000

	Actual # of P&P Inmates	Actual # of Days Incarcerated	Actual Total \$ Amount	# of Inmates P&P Reimbursed	# of Days P&P Reimbursed	Total \$ Amount P&P Reimbursed
January	34	550	22,000	11	158	6320
February	39	558	22,320	16	182	7280
March	41	665	26,600	14	266	10,640
April	32	489	19,560	7	113	4520
May	34	540	21,600	6	57	2280
June	30	418	16,720	4	42	1680
July	36	531	21,240	4	95	3800
August	33	550	22,000	6	104	4160
September	31	402	16,080	7	82	3280
October	37	480	19,200	10	114	4560
November	24	376	15,040	6	73	2920
December	34	587	23,480	4	68	2720
Totals	405	6146	\$245,480	95	1304	\$54,160

Difference of \$191,680 between amount Douglas County was reimbursed and the actual amount incurred Probation and Parole.

This is an increase of \$79,200 over the amount for 1999.

Don Tretter
1542 W Hospital Rd
Raymond, Wis 54843

Legislative Agenda
for
Wisconsin Towns Association
2001-03 Legislative Session

The following legislative agenda has been adopted by the Board of Directors of Wisconsin Towns Association (WTA) for the Year 2001-03 Legislative Session. Additional items may be added or modified as individual bills are introduced in the session.

1. Transportation Aids

A. WTA supports returning a "fair share" of the total federal and state transportation dollars to local governments, to be returned in proportion to the current proportions paid between towns, villages, cities, and counties under the current funding levels.

B. WTA supports approximately a 6% increase to local governments, which would bring per mile minimums up to \$1,800 per mile. Further WTA supports that equivalent increases be made for the Local Road Improvement Program. Recognition of local roads importance for economic development should be promoted including having adequate "all-weather" roads for meeting the needs of the agricultural and forestry industries across the State of Wisconsin.

Per Mile 1800 - 2002
1850 - 2003

2. Annexation and Boundary Issues

A. WTA supports legislation which would encourage boundary agreements by allowing cities, villages, and towns who have cooperative boundary agreements with half or more of their counterpart neighboring municipalities to become eligible to exempt itself from a portion of the county property tax levied for specified sheriff services and to opt out of county zoning without county board approval. To exercise such exemptions towns, villages, and cities would be responsible for 24 hour full law enforcement coverage or enforce its own zoning ordinance (except for floodplain and shoreland zoning).

B. WTA supports giving all towns "village powers" through statutory authority. Further, WTA supports amending the Wisconsin Constitution Article XI, Sec. 3 to give towns the same municipal home rule as cities and villages now have. Further, WTA supports amending Article IV, Sec. 23 of the Wisconsin Constitution to remove the requirement that the legislature "establish but one system of town government, which shall be as nearly as uniform as practicable,..."

3. Campaign Finance Reform

WTA supports meaningful campaign finance reform. WTA supports increasing public grants to candidates who agree to limit campaign spending; providing supplemental grants to candidates agreeing to limited campaign spending to match opponents spending over the limits and when independent spending supporting opponents or opposing a grant candidate reaches 10% of the spending limits; and require contemporaneous reporting every 24 hours by all candidates (including

grant candidates and non-grant candidates and independent committees). WTA supports the "Voters First" campaign finance reform plan.

4. Comprehensive Planning and "Smart Growth Dividend"

A. WTA supports increasing the level of state funding made available for grants to local governments to prepare and adopt comprehensive plans to \$5 million per year through year 2010.

B. WTA proposes the creation of a rural "Smart Growth Dividend" factor (in addition to the current housing component) to reward local governments that have adopted comprehensive plans that preserve prime farmland and protect environmentally sensitive areas.

C. WTA supports legislation which would give those towns who have adopted comprehensive plans the authority to have an official map with the same legal impact that city and village official maps have (specifically that the county must incorporate official maps into the county plan).

5. Town Government Authority

A. WTA proposes that Sec. 81.01 (3) of Wis. Statutes be amended to increase the current total limit of \$10,000 per year that a town board may spend without town elector approval at a town meeting or town referendum to a total annual amount equaling the number of town highway miles times \$5,000 per mile (which is slightly higher than the current amount per mile spent on average across the State at this time).

B. WTA supports the repeal of Sec. 985.03 (2) of Wis. Statutes which currently creates a civil forfeiture for publication of a legal notice in a publication which is not a "legal newspaper" under Chapter 985. Further, WTA supports allowing local units of governments to publish legal notices in "shoppers" or "advertisers" as an additional notice when a legal notice is first published in a "legal newspaper" as defined in Chapter 985 of Wis. Statutes.

C. WTA proposes to eliminate the requirement that the town electors at a town meeting must authorize the town board to dispose of personal property of the town.

D. WTA supports the creation of a Legislative Council Special Study Committee to revise Chapters 80 "Laying Highways" and 81 "Town Highways," to modernize and create more efficient laws related highway procedures. (These two chapters were originally taken from New York town law when the State was organized and have had little revision since.)

E. WTA proposes clarifying in statute the authority of the County Sheriff enforce town ordinance violations using the citation procedure under Sec. 66.0113 (formerly Sec. 66.119) of Wis. Statutes. (Note an Attorney General opinion dated July 15, 1986 stated the County Sheriff has authority to enforce town ordinances, but some Sheriffs question their authority to enforce town ordinances.)

6. Town Officer Reforms

A. WTA supports amending the recall procedures of Sec. 9.10 of Wis. Statutes to require the petition to recall of a town, village, city, and school district elected officer must state grounds that would constitute "cause" as defined in Sec. 17.16 (2) of Wis. Statutes, which is defined as "inefficiency, neglect of duty, official misconduct or malfeasance in office."

B. WTA supports amending Sec. 19.59 of Wis. Statutes and Sec. 66.0501 of Wis. Statutes to allow town board members to be paid for performing work for the town as an employee up to a maximum of \$5,000 per year, if the town electors have at an annual or special town meeting which authorize the town board to hire any or all of the town board members as employees of the town and be paid an hourly wage for such employment.

C. WTA proposes that Sec. 175.10 of Wis. Statutes which imposes a criminal misdemeanor penalty for public officers or employees of local governments from purchasing "any article, material, product or merchandise of whatsoever nature," from the local government, be amended to allow public officers or employees to purchase surplus or excess property from the local government if such property is being sold at public auction or by sealed bid.

7. Other miscellaneous issues

A. WTA proposes that the Small Community Improvement Program (SCIP), which is a part of the Shared Revenue Program be revised to increase the total payments to \$24 million (the current total is \$12 million per year) and increase the cap to a maximum full value of \$100 million for a community to be eligible (current cap is \$40 million) and further to index the cap at an annual increase not to exceed 3.0% per year.

B. WTA supports a revision of the Farmland Preservation Program which recognizes the individual property rights of the land owner, but is designed to "preserve prime farmland" and not merely be a tax credit program with unreasonable limits on eligibility based on income of the landowner. Further, WTA supports retaining the current level of funds paid under the Farmland Preservation Program for the revised program.

C. WTA proposes a Legislative Council Special Study Committee be created to address the valuation for assessment purposes of "Forest, Waste, and Swamp Land."

D. WTA supports legislative revisions which will discourage the disposal of out of state waste in Wisconsin landfills, including but not limited to increasing the state tipping fees on waste disposed at Wisconsin landfills, provided such fees are dedicated to funding local government recycling programs.

E. WTA supports legislation which requires all local units of government required to hold referendums to authorize the issuance of bonds by the unit of government to hold such referendums on regularly scheduled election dates of the spring primary (third Tuesday of February); the spring election (first Tuesday of April); the fall primary (second Tuesday of September); or the fall general election (first Tuesday of November), with the right of such units to hold one special election referendum not more than once per calendar year.

I support an increase ~~in~~ Tipping Fee at waste facilities. ~~#~~ ~~sight~~ addition of \$1.55 to present fee because of all the out of state waste coming into this state - if done right the Recycling program could be self supporting. (user fees)

Do not take the cap off of school Budget and Teachers Wages - if you do it would increase Property Taxes and put burden on people with the elderly on their set income

In Sny Lee County, I ^{would} appreciate some of the Proceeds from the Casanova that the state has taken in for our road program especially the ones lead to the Commission (LCO)

Consider 3 ISSUESⁱⁿ upcoming budget
TOURISM, Education?
Snowmobiling

TALKING POINTS FOR RESTORING 1/2 MILLION TO TOURISM DEPARTMENT BUDGET

- ✓ The \$9.97 billion tourism dollars spent in the year 2000 substantiates its value to the state's well being by contributing to the states economy and quality of life. The Tourism Department's budget is an investment in Wisconsin that pays excellent dividends on a year-round basis.
- ✓ Travel spending dollars are re-circulated in the local, as well as the state economies and directly benefit other related local industries.
- ✓ Since the cost of promotion has skyrocketed due to inflation I urge you to add additional funds to the Tourism Department budget so Wisconsin can remain in a leadership position. At the very least, leave the present budget untouched.

TALKING POINTS FOR RECLAIMING WISCONSIN CONSERVATION CORPS \$1.4 MILLION CUT

- ✓ The primary goal of the Wisconsin Conservation Corps is to provide a variety of on the job skill training opportunities that enable young adults 18-25 help in career building while encouraging further education. It is a program I have watched change the lives of many young people.
- ✓ WCC provides a minimum wage along with two scholarships that total over \$7500 in exchange for one year's service under their direction and guidance in the corp members own surroundings.
- ✓ I feel that this cut could cost taxpayers in the long run and ask that you invest in our young folks, our future taxpayers, by keeping the Wisconsin Conservation Corps program at its current funding level.

TALKING POINTS FOR INCREASE IN SNOWMOBILE REGISTRATION & NON-RESIDENT TRAIL PASS

- ✓ Snowmobilers have brought undeniable economic benefits to Wisconsin, especially in the north. Area trail caretakers provide all the services necessary to keep our trails in excellent condition. These services are expensive and are funded through a program paid for by the snowmobile registration dollars that has remained at the \$20 level for many years.
- ✓ *The \$20 fee is 9*
It's a real dilemma that you folks can change by increasing resident registration to \$35 ~~and non-resident~~ and non-resident trail passes from \$13 to \$18 per year with that funding going automatically into the snowmobile supplemental program. I would like to see a new snowmobile registration category for fishermen who only use their sleds from the parking lot to their lake location and back.
- ✓ I support the night-time speed limit and request that you increase the warden enforcement time and or allocate additional funds for county snowmobile enforcement. An ordinance on the books is only as good as enforcement.

*2235th Sunset Acres Lane
Grand View WI 54839*

*PAT THORNTON - WORK
BAYFIELD COUNTY TOURISM & RECREATION
BOX 832 - COURTHOUSE
WASHBURN WI, 54891*

Written testimony:

Submitted by

Merlene Soppeland

2512 Uno St

Eau Claire 54703

☎ 715-834-1618

As a member of the Eau Claire Community & a person who reads & is concerned with the priorities our state seems to be taking -

I would like to start with the three "R"s.

- ① Respect for Self
- ② Respect for Others
- ③ Responsibility for all your actions

Many things concern me with the State Budget #1 Priority is Education for our children beginning with the very young. Keep the SAGE program full-funded K to 3 with class size of

Page 2

This
15 students. ^{is} a proven program. It has been documented to help level the playing field for schools with a high percent of economically disadvantaged children. I volunteer at one-it-wor.

Please take a close look at the ESL program. Rather than cut the program, remember that although many more minorities (Hmong pop. for the Eau Claire area) are now in their 3rd generation, most of the second generation is working & childcare is being done by the 1st generation. Most kindergarteners come to school with the Hmong language being spoken at home, and much exposure to the English language.

I am also concerned with the lack of healthcare workers

page 3

Personal experience of having a Mom in a nursing home for 10 years, a priority should be to encourage & expand the training of nurses & healthcare workers. I think the state should form a citizen panel to look at alternatives to nursing homes & ways to best provide services to the ever growing elderly population.

Another concern I have is the reduction of \$ to ~~the~~ provide legal services to persons convicted of crimes & unable to afford legal council. (Public Defenders). This seems to be a step backwards - aren't our prisons full enough? Shouldn't all persons - regardless of economic stature be able to secure legal representation. Quality representation require

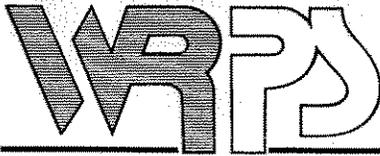
page 4

requires time, reducing this budget will reduce quality of legal representation.

My last statement - I have been 18 years active in PTA & would like this committee to seriously look at how state revenues are appropriated to schools. ^(districts) In this part of the state there is not always a large tax base for our very small school districts. With less state funds & more mandates, how ~~are~~ are they to do it all? Rising energy costs & maintaining old structures, have taken considerable chunks out of budgets. Keep our children our priority!

Thank you for the opportunity to voice my concerns.

Sincerely, Marlene Spindel



JOINT COMMITTEE ON FINANCE

Senators:

Brian Burke
Russell Decker
Gwendolynne Moore
Kevin Shibilski
Kimberly Plache
Robert Wirch
Alberta Darling
Robert Welch

Representatives:

John Gard
Dean Kaufert
Sheryl Albers
Marc Duff
David Ward
Michael Huebsch
Gregory Huber
Antonio Riley

2001-2003 BIENNIAL BUDGET INITIATIVES

This testimony is written and submitted relevant to the 2001-2003 Biennial Budget Initiatives related to elementary and secondary education-Assembly Bill 144 and Senate Bill 55.

CHARTERING AUTHORITY

The budget bill provides expanding the chartering authority to any university in the University of Wisconsin System, the board of control of any Cooperative Educational Service Agency, and a technical college district board. It also makes it certain that these charters are not instrumentalities of any school district, since the employees of new charter schools may not be employed by a public school district. This is a significant policy change that should be discussed outside of the budget process. In addition, the proposed Governor's Budget would reduce and possibly eliminate local control of public charters. Local control of charter schools is an essential element of the charter school program. Charter schools serve a valuable purpose within the public school systems of our State. The Wisconsin Rapids School District has been fortunate to implement a charter school for at-risk students this school year. As a result of that effort, seventeen students will graduate with a high school diploma who otherwise would not have graduated from high school.

SPECIAL EDUCATION

The amount of proposed special education aid provides a minimal increase for the support of students with special education needs. The special education aid formula established in this Budget distributes aids on a census basis. In fiscal year 2003, five percent of the total special education aids will be distributed in this manner. It is my opinion, this is the first step in eliminating categorical aid distribution to school districts for special education cost.

The portion of the Biennial Budget that deals with high cost special needs students who exceed \$50,000.00 is an excessive base in which a few students would qualify and few aids would be distributed to school districts to assist them with these students. Finally, much of the Budget contains policy language which has little to no fiscal impact. Policy dealing with special education and the delivery of services to students with special education needs should be dealt with outside of the budget process.

TEACHER LICENSURE

The only licensure issue that should be dealt with in the Budget is the appropriate funding of new PI-34 regulations. Any processes dealing with the waiver of licenses for teachers, or the provision of a initial teaching license to an individual without a teaching certification, should be dealt with through the new PI-34 regulations that address alternative or equivalent licenses.

EDUCATIONAL ASSESSMENT

The transfer of responsibility for educational assessment and performance of students and schools from the Department of Public Instruction (DPI) to the Department of Administration significantly reduces the role of DPI in the evaluation of education in this State. The way pupils and schools are evaluated should remain with the Department of Public Instruction. In addition, this language has no fiscal impact and should not be included in the budget.

STUDENT ACHIEVEMENT GUARANTEE IN EDUCATION (SAGE)

The Budget effectively eliminates the expansion of SAGE to second and third grades except in those schools that exceed poverty limits of fifty percent. This initiative would effectively stop the development of lower class sizes in public school buildings where SAGE was initiated its first year. The effects of SAGE have been significant on student achievement particularly in the early years. I would encourage the State to continue funding SAGE to an extent possible so that second and third grade classrooms can be included in all schools where SAGE has been initiated.

ALCOHOL AND OTHER DRUG ABUSE PROGRAMS (AODA)

The Budget proposes to reduce Alcohol and Other Drug Abuse (AODA) prevention program administrative expenditures by \$150,000.00. This would reduce the amount of support which school districts receive from the Department of Public Instruction for preventive programs. I would encourage the reinstatement of the funds, so that the Department of Public Instruction can maintain its staff in support of AODA programs.

CHILDREN'S CABINET BOARD

The formation of a five member Children's Cabinet Board that would be attached to the Governor's Office serves no useful purpose that is not already within the function, responsibility, and authority of the Department of Public Instruction. The stated purpose of the Children's Cabinet Board is to improve the coordination among state agencies for programs for children and to streamline the delivery of services for those programs. I see the Children's Cabinet Board as one more layer of bureaucracy that is not needed since the Department of Public Instruction can adequately fulfill this role.

SCHEDULING OF SCHOOL DISTRICT REFEREDUM

The policy decision over when school districts should be allowed to go to referendum is a discussion that is already occurring in a separate bill (AB-2). It is a separate policy item that has generated much discussion over state versus local control and the impact on school district budgeting processes which are already constrained, given revenue caps imposed by the State.

SCHOOL START DATE

The dual issue of when school should start at the beginning of the school year and whether classes should or should not be held on the Friday preceding Labor Day is a policy issue and should not be included in the Budget. But most importantly, it is an issue dealing with a local school control and should be a decision that is made by each individual school district.

Thank you for the opportunity to testify before the Joint Committee on Finance and for your serious consideration of the ideas and testimony by today's participants.



John A. Gruenloh
Director of Pupil Services
Wisconsin Rapids Public School District

cc: Phil Knobel, WCASSS
Jennifer Kammerud, S.A.A.



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March 26, 2001

To: Village President Mark F. Dahlberg
Village of Grantsburg, 316 South Brad St., Grantsburg, WI 54840
ph. (715) 463-5371 or 463-2400
fax: (715) 463-2765 or 463-5555

From: Dan Thompson, Executive Director

RE: Testimony on the Governor's Executive Budget Bill (SB 55/AB 144)

The Joint Committee on Finance will be holding budget hearings around the state for the three-week period beginning March 27th and ending April 20th. League President Joe Greco and I will testify on the budget bill at the public hearing in Madison on April 11. I have attached below a list of comments we will submit to the Committee.

If you testify at one of the public hearings or submit written comments, we hope you will emphasize these same points. We want the Joint Committee on Finance to hear a consistent message from municipal officials across Wisconsin. It's a long list, so you will only have time to mention a few points. Please emphasize those items that are most important to your community. Thanks for your help.

Provisions We Support

- Increases in funding of state aid paid to municipalities to compensate for the tax base lost due to the personal property tax exemption for computers and related equipment. The budget bill increases funding by \$6,016,000 in 2001-02 and \$10,171,000 in 2002-03 to reflect growth in the value of exempt computers.
- Expansion of municipal authority to charge fees for services "that are available, regardless of whether the services are actually rendered...." Sec. 66.0627(2), Stats. (Section 2021 of the bill.)
- Restoration of municipal and circuit court judges' authority to suspend a juvenile's driver's license for failure to pay a forfeiture for non-traffic ordinance violations. Secs. 938.17(2)(d), 938.34(8) and 938.343(2), Stats. (Sections 3878 & 3894 of the bill.)
- Allowing municipalities to pay large property tax refunds to owners of manufacturing property in 5 annual installments and requiring the state to compensate municipalities for the interest on any such refunds paid by municipalities. Secs. 70.522(2)(br) and 70.511(2)(bm), Stats. (Sections 2117 & 2118 of the bill.)

- Changes recommended by the Brown Fields Study Group relating to the local government negotiation and cost recovery process and the local government liability exemption.
- Nonpoint source pollution abatement grants. (\$33.4 million in new GPR-supported general obligation bonding for grants to counties and municipalities for installation of nonpoint source pollution abatement practices.)
- Changes to funding formula for Tier B and Tier C mass transit systems (cities other than Madison and Milwaukee with transit systems) requiring that mass transit operating assistance payments be based on projected expenses for the calendar year rather than actual operating expenses from the second preceding calendar year.

Provisions We Oppose or Want Modified

- Level of funding for the shared revenue program reduced by \$6 million in 2002. However, the budget bill increases funding of the expenditure restraint program by \$6 million in 2002. So, statewide aid to municipalities in 2002 under the expenditure restraint program and the shared revenue programs equals the same amount paid to municipalities under these programs in 2001. Shared revenue funding has not been increased since 1995. Shared revenue programs should be increased by at least the rate of inflation in each year of the biennium.
- Funding for municipal recycling grants reduced by \$10.5 million in 2001-02 and \$11 million in 2002-03. The budget bill provides grant funding of \$14 million in 2001-02 and \$13.5 million in 2002-03. This compares to a current funding level of \$24 million. We need more funding for recycling.
- Changes to 111.70, Stats., benefiting the Milwaukee police union. The Governor's budget authorizes an arbitrator to establish a system for conducting interrogations of members of the police department between 7:00 a.m. and 5:00 p.m. on working days (i.e., all days except Saturdays, Sundays and holidays), if the interrogations could lead to disciplinary action.
- Language authorizing the Department of Administration to prescribe and collect a fee for reviewing petitions for annexation of territory in populous counties. The fee is to be paid by the person filing the notice of the proposed annexation. (Section 255 of the bill.)
- Changes to the alcohol beverage licensing laws requiring municipalities to act as the debt collection agent for beer and liquor wholesalers. (Section 2800 of the bill.)
- Changes in how telephone company property is treated for property assessment and tax purposes. Under the budget bill, if more than 50% of a building is used for telephone company purposes, the entire building is assessed and taxed by the state. Under current law, the state assesses and receives the tax revenue from only that portion of a building or lot that is used for telephone company purposes and the municipality assesses and taxes the rest.

Other Budget Provisions Relevant to Municipalities

- The budget bill eliminates the procedural steps that a municipality must follow, including the conducting of a referendum, before it can sell a public utility. Under the budget bill, a municipality may sell or lease any public utility plant it owns in any manner that it considers appropriate.

Provisions We Want Added to the Budget

- Language exempting local governments from the state tax on motor vehicle fuel.
- Allowing general contractors to use municipal sales tax exemption certificate when purchasing material for public construction projects.
- Allowing municipalities to retain a portion of the property tax revenues paid by telephone companies to the state.
- Repeal of mandate requiring municipalities to impose a \$10,000 initial issuance fee for reserve "Class B" liquor licenses.

Questions We Have Concerning Modifications to the Shared Revenue Program

The Governor's Budget makes significant modifications to the shared revenue program. The budget bill replaces the aidable revenues component of shared revenue with a new aid distribution for municipalities named "aidable expenditure entitlements." The bill replaces the per capita component of shared revenue with a new aid distribution for municipalities named "growth-sharing regions entitlements." We submitted the following questions concerning the details of these changes to an Assembly Committee reviewing the proposed changes.

1. To receive a payment from the growth-sharing region, a municipality must meet the budget limits contained in the expenditure restraint program. Those limits were designed for larger municipalities with local property tax rates over 5 mills. Staying within the limits also requires sophisticated, professional financial administration by local treasurers. Do we need to make the limits of the expenditure restraint program simpler and easier to follow before we expand the program from 200 large communities to all 1,850 cities, villages, and towns in Wisconsin?
2. The current expenditure restraint program requires a minimum local tax effort of 5 mills. The proposed growth-sharing payment requires no minimum local tax effort. The proposal would send sales-tax dollars even to communities that do not need to levy a local property tax. In order to qualify for a growth-sharing payment from the region, shouldn't a

community first be required to make a local tax effort at a modest level of 1, 2, or 3 mills?

3. The Governor recommended shifting the shared revenue program from "aidable revenues" to "aidable expenditures" in order to "focus aid on basic services." Does the Governor's list of "aidable expenditures" capture the right combination of basic services? The proposal encourages municipalities to spend more money on "general government operations" and other listed services and to spend less money on "culture", "parks", and "development". Does the Legislature really want to encourage this change in priorities? Should spending on "economic development" be a priority for the state? Are "libraries" on the list of basic services or on the non-funded list?
4. Beginning in 2006, the proposal requires that municipalities enter into area cooperation compacts with at least 4 other jurisdictions "to provide law enforcement and to perform at least 5 of the other functions listed", as a condition of receiving a growth-sharing payment. Does the provision require a full merger of five or more police departments into a unified metropolitan agency, or do mutual aid agreements between departments meet the definition? How do communities without their own police departments satisfy this requirement?

From: "Harness, Jesse" <JLHarness@msd.k12.wi.us>
To: BOARD <BOARD@msd.k12.wi.us>
Cc: LEADTEAM <LEADTEAM@msd.k12.wi.us>
Subject: Joint Finance Committee Budget Hearings
Date: Mon, 26 Mar 2001 16:56:52 -0600
X-Mailer: Internet Mail Service (5.5.2650.21)

Good afternoon!

Just a reminder that the Joint Finance Committee will hold a public hearing on the Governor's proposed budget in Eau Claire on Wednesday, March 28, 2001 from 9:30 a.m. - 4:00 p.m. at CVTC Clairemont Campus/Phillips Buidling, Room 110-113, 620 Clairemont Ave.

WASB's top 2001-2003 budget priorities include:

- maintain 2/3 state funding for school operation and construction (in Governor's budget)
- revenue limit flexibility (not in Gov. Budget)
- provide school districts with greater flexibility in the choice of health care providers (in Gov. budget)
- support adequate funding for special education to keep state's share of costs from declining (not in Gov. budget)
- support SAGE program (Gov. budget does not support current law)
- support summer school enrollment (Gov. budget allows .25 FTE; current law is .40)
- maintain the school board as the sole chartering agency for charter schools (Gov. budget expands chartering authority to universities, technical colleges and CESAs).

Jesse Harness

*District Administrator -
Menomonie School District*

*Submitted by Margaret Breisch
Board of Education Member
Menomonie School District
N6820 539 ST.
Menomonie WI 54751*

Superior

Lawmakers to hear opinions on budget

Hearing will run from 10:30 a.m. to 5 p.m. at SSHS on Tuesday

By Merilee Reinke
Staff Writer

The Legislature's Joint Committee on Finance will hold a public hearing in Superior on Tuesday to gather testimony on the proposed 2001-2003 budget.

The hearing will run from 10:30 a.m. to 5 p.m. at the Superior Senior High School Performing Arts Center.

According to Bob Allen, aide to Sen. Brian Burke, D-Milwaukee, finance committee co-chairman, the Superior meeting is the first of eight such hearings.

"People in Superior have a great opportunity to make a big impression because by the time members get to the fourth or fifth meeting they have heard it all," said Allen. "The members really do listen."

The last time the Joint Finance Committee held a public hearing in Superior was in 1991, said Allen.

Sen. Bob Jauch, D-Poplar, said he is expecting a large turnout of people from not only Superior but also from Spooner, Rice Lake, Ashland and Chetek.

"I am expecting between 600 to 900 people," said Jauch. "Everything is on the table. I don't know anyone who isn't furious with the governor's proposal.

You will not only hear from teachers and administrators, but also from parents and grandparents.

Sen. Bob Jauch

controls, education funding, recycling and cuts to nursing home and senior citizen programs will be hot topics.

"The governor doesn't seem to understand the importance of revenue controls on schools."

Please turn to BUDGET, A8

Budget opinions

BUDGET from Page A1

Jauch said: "The pleas for change won't come as they traditionally have. You will not only hear from teachers and administrators, but also from parents and grandparents. I think you will hear from the disability coalition since the state continues to freeze the budget. The nursing home industry is also in a financial crisis."

"There are a lot of unhappy people," acknowledged Allen. The Poplar senator also said he thinks students will attend

lobbyist or special interest group. Outside Madison you hear the average citizen."

Proposed cuts in the budget of the office of the Wisconsin State Public Defender do not make sense, according to J. Patrick O'Neill Jr., who heads the regional staff of Douglas, Ashland, Bayfield, Iron, Burnett, Sawyer and Washburn counties.

With the proposed budget, the state may be required to lay off 50 attorneys, or one sixth of the attorneys in the agency.

While O'Neill said the across-the-board five percent amounts to shaving 3.2 million from the

percent is shaved is not equitable because they aren't cutting the office of district attorney.

The work is there, the constitution says the indigent have to receive representation and if the public defender's office can't represent them, the judges will have to appoint representation from the private bar, according to O'Neill. When that happens, the counties must pick up the bill.

The delays in and of themselves will cost the counties and the state money, O'Neill pointed out.

The state defender's office

the hearing since there is no budget increase in financial aid money for college students despite jumps in tuition.

"The budget condition is in very bad shape," Jauch said. "The state has been living on a credit card for so long."

Those wanting to testify may do so either verbally or by writing. Participants can only address the committee in the order they submitted their name and are allowed three minutes to speak.

"People do influence the committee," said Jauch. "In Madison you predictably hear from the

public defender's budget, the irony is that it will cost an estimated 5.8 million to do so.

The state is still mandated by the U.S. Constitution to provide the service which means private attorneys will have to be hired to do the job.

"What it really boils down to is what the taxpayers have to pay to provide that representation," said O'Neill.

"But that's the political shuffle ... our agency has always been an easy target ... nobody likes our clients."

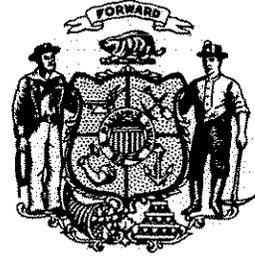
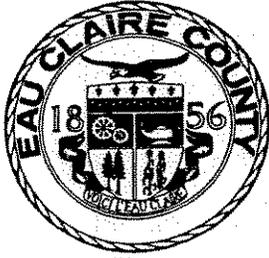
O'Neill claims in the political shuffle, the way in which the five

recently won the Wisconsin Forward Award, a testimony to its efficiency.

Hearings will continue until April 20 after which the committee will go into executive session to review the budget and citizens' testimony. Allen said he expects the finance committee to approve the budget by the end of May. Ideally, said Allen, the Legislature will give final budget approval by early July.

"This is a chance for people to say how the budget applies to them, how it applies in real life," said Allen. "Their stories really resonate with members."

Eau Claire County Board of Supervisors
721 Oxford Avenue
Eau Claire, WI 54703-5481



March 28, 2001

TO: The Honorable Members of the State Joint Finance Committee

FROM: Howard Ludwigson, Eau Claire County Board Chair

RE: Comments on Proposed 2001-2003 State Budget Bill

The following points outline issues of importance to Eau Claire County in the Proposed 2001-2003 State Budget Bill:

State-Local Partnerships

These are areas where the state and the counties are partners in the delivery of services and programs for the taxpayers:

1. Shared Revenue

- **Proposed budget** - No increase in shared revenues for counties, no change in the formula for counties; requires counties to prioritize allocation of shared revenue to costs above state revenue for P&P holds, circuit court system and youth services costs.
- **Impact on Eau Claire County** - Reduction in shared revenues due to equalized value growth. Accompanying chart (page 1, supplemental data) shows a continued gap between actual shared revenues received and an assumed inflationary shared revenue increase. By 2003, this gap will cost Eau Claire County taxpayers approx. \$.50/\$1000 on property tax levy.
- **Recommendation** - Provide increase in dollars to match inflation or reduce shared revenues for counties dollar for dollar for state pick-up of circuit court costs and guardian ad Litem costs and human services programs. Oppose mandate for prioritization of use of funds.

2. Circuit Court Support Grants/Guardian ad Litem Reimbursements

- **Proposed budget** - No increase in these appropriations to counties.
- **Impact on Eau Claire County** - Costs to operate the circuit system will increase by at least 3% per year in the biennium. With no new funds from the state side of the partnership, all increased costs will be borne by county taxpayers, see accompanying chart of state court grant history (page 3, supplemental data).
- **Recommendation** - Increase funding by inflationary costs (3% per year) or state takeover full cost of funding circuit court system through dollar for dollar reduction in county shared revenue payment.

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