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Department states that there are sufficient currently budgeted revenues in the program revenue appropriation to cover this increased cost.

**Alternatives**

1. Approve the Department of Employment Relations' request to authorize an additional 0.40 PR position and provide additional funding of \$ 31,200 PR annually.
2. Deny the request.

**ETHICS BOARD**

Appropriation	Source	Act 16		Request			
		Funding		Funding		Positions	
		2001-02	2002-03	2001-02	2002-03	2001-02	2002-03
(1)(a) General Program Operations	GPR	-\$11,800	-\$11,800	-\$11,800	-\$11,800	0.00	0.00
(1)(g) General Program Operations	PR	\$0	\$0	\$11,800	\$11,800	0.00	0.00
All Funds Total		-\$11,800	-\$11,800	\$0	\$0	0.00	0.00

**Increase in Non-GPR Appropriations and Positions.** The Ethics Board requests that its general program operations program revenue appropriation be increased by \$11,800 PR annually.

Under the 5% reduction provision, Act 16 reduced the Ethics Board's GPR general program operations appropriation by \$11,800 annually. While the Board has no other GPR appropriation for reallocation of the reduction, the Board is requesting that its general program operations; program revenue appropriation, funded by lobbying fees, be increased by a similar amount.

While the lobbying fee revenue would appear to be sufficient in this biennium to absorb this change, it should be noted that certain other state and federal district courts have ruled that it is unconstitutional under the First Amendment to the U.S. Constitution to impose a lobbying fee that amounts to a tax. Under these decisions, a lobbying fee may only be imposed to offset the costs of administering legitimate regulation of lobbying activity. These courts have held that if a lobbying fee exceeds this limitation, it amounts to an unconstitutional tax on the right of citizens to petition the Legislature. While no Wisconsin court has ruled on this point, Board staff have taken the position that lobbying fees may only be used to offset the costs of regulating lobbying activity.

According to a study conducted by Board staff in 2000-01, Board staff spend 55% of their time on activities related to lobbying. In 2000-01, lobbying fees supported approximately 54% of the Board's budget. Due to increased PR funding and the 5% GPR base budget reduction provided for in Act 16, 58.5% of the Board's budget is currently supported by lobbying fees in this biennium.

If this request were approved, lobbying fees in this biennium would support 59.3% of the Board's budget. Board staff have indicated that if this request is approved, that Board staff would make an effort to ensure that these funds are only used to offset costs that may be directly attributed to regulating lobbying activity.

**Alternatives**

1. Approve the Ethics Board's request.
2. Deny the request.

**HISTORICAL SOCIETY**

Appropriation	Source	Act 16		Request			
		Funding		Funding		Positions	
		2001-02	2002-03	2001-02	2002-03	2001-02	2002-03
(1)(a) General Program Operations	GPR	-\$525,800	-\$525,800	-\$462,400	-\$462,400	-2.00	-2.00
(1)(ag) General Program Operations -- Historic Sites and Museum Services	GPR	<u>0</u>	<u>0</u>	<u>-63,400</u>	<u>-63,400</u>	<u>0.00</u>	<u>0.00</u>
GPR Total		-\$525,800	-\$525,800	-\$525,800	-\$525,800	-2.00	-2.00

**Reallocation of GPR Reductions.** The State Historical Society (SHS) requests that \$63,400 of its total reduction be reallocated from its general program operations appropriation (s.20.245(1)(a)) to the general program operations appropriation for historic sites and museum services (s. 20.245(1)(ag)), as indicated in the above table.

The requested reallocation reflects the application of turnover savings to both of the SHS's general program operations appropriations. SHS plans to absorb the required \$525,800 GPR annual reductions as follows: (a) -\$255,100 in salary and fringe benefits funding from turnover savings; (b) -\$77,400 and -1.0 position from elimination of the unclassified librarian administrator position; (c) -\$95,000 in supplies and services funding from elimination of the regional archeology program funding which the Society uses to contract with regional offices to assist the SHS in providing various services to communities such as, conducting archeology surveys and helping communities develop long-term preservation plans; (d) -\$80,200 and -1.0 position from elimination of a classified human resources position; (e) -\$10,000 in reduced supplies and services funding for the historic preservation program; and (f) -\$8,100 in reduced supplies and services funding for the library and archives program.

**Alternatives**

1. Approve the Historical Society's request.
2. Deny the request.

**JUDICIAL COMMISSION**

Appropriation	Source	Act 16		Request			
		Funding		Funding		Positions	
		2001-02	2002-03	2001-02	2002-03	2001-02	2002-03
(1)(a) General Program Operations	GPR	-\$11,600	-\$11,600	\$0	\$0	0.00	0.00
(1)(d) General Program Operations -- Judicial Council	GPR	0	0	-11,600	-11,600	0.00	0.00
GPR Total		-\$11,600	-\$11,600	-11,600	-11,600	0.00	0.00

**Reallocation of GPR Reduction.** The Judicial Commission requests that its total reduction of \$11,600 GPR annually be reallocated from its general program operations appropriation to its general program operations; judicial council appropriation as indicated in the above table.

Funding and staff for the Judicial Council were eliminated in the 1995-97 budget, with staffing for the Judicial Council to be provided by the Judicial Commission. Beginning in the 1997-98, the Judicial Commission has been provided \$35,000 GPR annually for the Judicial Council in a separate GPR appropriation to cover expenses of Council meetings and for hiring contractors to provide legal and other services to the Council. In 1999-00 and 2000-01, the Judicial Council appropriation lapsed \$24,600 and \$26,900 respectively. As a result, the Judicial Commission requests to reallocate its annual \$11,600 GPR budget reduction to this Judicial Council appropriation.

**Alternatives**

1. Approve the Judicial Commission's request.
2. Deny the request.

## JUSTICE

Appropriation	Source	Act 16		Request			
		Funding		Funding		Positions	
		2001-02	2002-03	2001-02	2002-03	2001-02	2002-03
(1)(a) Legal Services --							
General Program Operations	GPR	-\$1,770,000	-\$1,770,000	-\$585,400	-\$585,400	-4.90	-4.90
(1)(d) Legal Expenses	GPR	0	0	-46,600	-46,600	0.00	0.00
(2)(a) Law Enforcement --							
General Program Operations	GPR	0	0	-550,700	-550,700	-8.50	-8.50
(2)(cm) Computers for TIME System	GPR	0	0	-42,800	-42,800	0.00	0.00
(2)(dg) Weed & Seed &							
Law Enforcement Technology	GPR	0	0	-500,000	-500,000	0.00	0.00
(5)(a) Victims and Witnesses --							
General Program Operations	GPR	0	0	-44,500	-44,500	-0.50	-0.50
GPR Total		-\$1,770,000	-\$1,770,000	-\$1,770,000	-\$1,770,000	-13.90	-13.90
(1)(km) Interagency and Intra-Agency Assistance	PR	\$0	\$0	\$177,100	\$177,100	1.90	1.90
(2)(kd) Drug Law Enforcement and Crime Labs	PR	0	0	281,400	281,400	4.00	4.00
(2)(gm) Criminal History Searches --							
Fingerprint Identification	PR	0	0	58,600	58,600	1.00	1.00
(5)(gc) Sexual Assault Victim Services	PR	0	0	34,800	34,800	0.50	0.50
(5)(i) Victim Compensation --Inmate Payments	PR	0	0	9,700	9,700	0.00	0.00
PR Total		\$0	\$0	\$561,600	\$561,600	7.40	7.40
(2)(m) Federal Aid -- State Operations	FED	\$0	\$0	\$130,900	\$130,900	1.50	1.50
All Funds Total		-\$1,770,000	-\$1,770,000	-\$1,077,500	-\$1,077,500	-5.00	-5.00

1. **Reallocation of GPR Reductions.** Act 16 reduced the Department of Justice's (DOJ) second largest GPR state operations appropriation, legal services' general program operations appropriation, by \$1,770,000 annually to generate the 5% cost reduction. The DOJ plan would reallocate \$1,184,600 GPR annually to five other departmental GPR appropriations and delete 13.9 GPR positions as indicated in the above table.

a. **Legal Services General Program Operations.** The plan would decrease funding in the legal services general program operations appropriation by \$585,400 GPR and 4.9 GPR positions annually. This appropriation funds the operation of DOJ's Division of Legal Services, which provides legal services to the state. Under DOJ's plan, 3.0 GPR assistant attorney general (AAG) positions would be eliminated and 1.9 GPR AAG positions would be transferred to non-GPR appropriations (discussed below).

b. **Legal Expenses.** The plan would reduce funding in the legal service appropriation by \$46,600 GPR annually. This appropriation pays for expenses, other than staff salaries and fringe benefits, incurred by DOJ in the prosecution or defense of any court action or proceeding.

c. **Law Enforcement General Program Operations.** The plan would decrease funding in the law enforcement general program operations appropriation by \$550,700 GPR and 8.5 GPR positions annually. This appropriation provides GPR funding for the operations of the Divisions of

Law Enforcement Services, Criminal Investigation and Narcotics Enforcement for such functions as operating the state crime laboratories, providing criminal and narcotics investigations, maintaining crime information and providing other law enforcement services. Under DOJ's plan, 2.0 GPR criminal history specialist positions would be eliminated and 6.5 GPR positions would be transferred to non-GPR appropriations (discussed below).

d. *Computers for TIME System.* The plan would decrease this funding by \$42,800 GPR annually. This appropriation provides funding for payments for lease of computers for the Transaction Information for the Management of Enforcement (TIME) system, which provides law enforcement agencies with on-line access to information concerning motor vehicle and driver registrations and criminal record information.

e. *Weed and Seed and Law Enforcement Technology Grant Programs.* The requested \$500,000 GPR annual reduction to the weed and seed and law enforcement technology appropriation would permanently eliminate all funding for both the weed and seed and law enforcement technology grant programs. Weed and seed grants must be used to carry out a comprehensive, multi-agency "weed and seed" project to restore safety to a targeted neighborhood that suffers from high levels of violent and drug-related crime. A weed and seed plan must include a concerted law enforcement effort to curb drug trafficking and related crime, a decentralized law enforcement and crime prevention effort in a targeted neighborhood, and a coordinated, community-based effort to strengthen the neighborhood's social base and revitalize the neighborhood. Weed and seed funds have been used to support such things as police officer salaries, the operating costs of a neighborhood community center and summer gang resistance education and training. Beloit, La Crosse, Milwaukee, Racine and West Allis have been past recipients of weed and seed grant money.

Law enforcement technology grants are provided to law enforcement agencies in cities with high levels of violent and drug-related crime to acquire law enforcement technology and have been used to acquire computers or specialized technology intended to enhance law enforcement. These grant fund may not be used for the expansion or replacement of existing equipment or facilities.

There are currently no on-going projects that would be affected by the elimination of either of these grant programs because, according to DOJ, "this same reduction was proposed, and approved, by the Department of Administration in the last round of budget cuts, during Fiscal Year 2001."

Act 16 provides that DOJ and other affected agencies may submit a request to the Committee under s. 13.10 of the statutes to reallocate the 5% reduction to other GPR sum certain appropriations for state operations. It should be noted that the weed and seed and law enforcement technology appropriation is a local assistance appropriation and not a state operations appropriation. Any reallocation of reductions to this appropriation is inconsistent with the language of Act 16.

f. *Victim and Witness General Program Operations.* The plan would reduce funding by \$44,500 GPR and 0.5 GPR position annually. The appropriation provides GPR funding for the operation of DOJ's Office of Crime Victim Services, which provides direct assistance to victims of

crime and administers a variety of grant programs that provide services to victims and witnesses of crime. The 0.5 position would be transferred to a non-GPR appropriation (discussed below).

2. **Increases in Non-GPR Appropriations and Positions.** DOJ also requests the following non-GPR appropriation and position changes.

a. **Interagency and Intra-Agency Assistance.** (1) *Medical Assistance Matching Funds.* Provide \$53,600 PR and 0.4 PR attorney position annually to the legal services' interagency and intra-agency assistance appropriation (converted from GPR funding). This position would be funded from federal medical assistance (MA) matching funds. DOJ plans to seek funding for the work the position does in defending in court Department of Health and Family Services' (DHFS) benefit decisions in the MA program. DHFS would submit an application for this funding on behalf of DOJ. If DOJ can demonstrate to the federal MA authorities that the attorney is engaged in MA-eligible work, the position will qualify for MA matching funds. This determination could take a year or two. During this time the position could receive interim MA matching funds. If the position is ultimately found to not qualify for MA matching funds, DOJ would: (a) have to pay back any received MA matching funds; and (b) identify an alternate funding source for the position going forward.

(2) *Department of Regulation and Licensing.* Provide \$66,100 PR and 0.5 PR attorney position annually to the legal services' interagency and intra-agency assistance appropriation (converted from GPR funding). This position would be funded through interagency transfers from the Department of Regulation and Licensing (DRL). DOJ represents both DRL and its professional licensing boards, both in court and out of court. DOJ indicates that the legal services it provides to DRL and these boards justify a 0.5 attorney position, and that there is statutory authority for it to charge DRL for the cost of this position.

(3) *Department of Workforce Development.* Provide \$57,400 PR and 1.0 PR Workers' Compensation resolution officer annually to the legal services' interagency and intra-agency assistance appropriation (converted from GPR funding). This position is responsible for reviewing and processing the claims filed against the workers' compensation fund. Under DOJ's plan, this position would be funded through interagency transfers from the Department of Workforce Development (DWD). DOJ believes that there is authority for it to charge DWD for the cost of the 1.0 resolution officer.

b. **Drug Law Enforcement and Crime Labs.** *Transfer 4.0 GPR Forensic Scientists.* Provide \$281,400 PR and 4.0 PR forensic scientist positions annually to law enforcement services' drug law enforcement and crime laboratories appropriation (converted from GPR funding). This appropriation covers costs of activities relating to drug law enforcement, drug law violation prosecution assistance and activities of the state and regional crime laboratories. The appropriation is supported by revenue from the \$5 crime laboratory assessment and the \$250 DNA surcharge. The drug law enforcement and crime laboratories appropriation appears to have sufficient funding from these revenue sources to support this proposed change by DOJ.

c. Criminal History Searches -- Fingerprint Identification. *Transfer 1.0 GPR Fingerprint Supervisor.* Provide \$58,600 PR and 1.0 PR fingerprint supervisor position annually to law enforcement services' criminal history searches; fingerprint identification appropriation (converted from GPR funding). This appropriation is supported by revenue from criminal history search fees and appears to have sufficient revenue to support this proposed change by DOJ.

d. Sexual Assault Victim Services. *Transfer 0.4 GPR Justice Program Supervisor and 0.1 GPR Director of Crime Victim Services.* Provide \$34,800 PR and 0.4 PR justice program supervisor and a 0.1 PR director of crime victim services position annually to the sexual assault victim services appropriation (converted from GPR funding). This appropriation is supported by revenue from part B of the crime victim and witness assistance surcharge and appears to have sufficient revenue to support this proposed change by DOJ.

e. Victim Compensation -- Inmate Payments. *Inmate Wages.* Provide \$9,700 PR annually to the victim compensation, inmate payments appropriation as a first draw, to replace lost supplies and services funding from the victims and witnesses' general program operations GPR appropriation. This appropriation is supported by garnished inmate wages and there appears to be sufficient funds to support this proposed change by DOJ.

f. *High-Intensity Drug Trafficking Area Grant.* Provide \$32,600 FED and 0.5 FED special agent position annually to law enforcement services' federal aid, state operations appropriation (converted from GPR funding). This position would be funded from federal high-intensity drug trafficking area (HIDTA) grant funds. The Office of National Drug Control Policy has awarded DOJ a 2001 HIDTA grant of \$40,207. DOJ believes that HIDTA is a stable funding source and that this grant will be renewed.

g. *Federal Methamphetamine Grant.* Provide \$75,000 FED and 1.0 FED special agent position annually to law enforcement services' federal aid, state operations appropriation (converted from GPR funding). The special agent position would be funded from a federal methamphetamine grant extension awarded by the U.S. Department of Justice's Office of Justice Programs. The original methamphetamine grant award of \$800,000 supported five special agents, one special-agent in charge, a program assistant and a forensic scientist in DOJ's Division of Narcotics Enforcement. The extension award of \$997,800 will support these original positions as well as the 1.0 special agent position that DOJ is proposing to fund from this federal source of funding. Again, DOJ feels that this grant will be renewed in the future.

h. *U.S. Attorneys' Office -- Federal Forfeiture Dollars.* Provide \$23,300 FED annually for law enforcement services' federal aid, state operations appropriation, to replace lost GPR supplies and services funding for the Division of Narcotics Enforcement (\$11,500 annually) and for the Division of Criminal Investigation (\$11,800 annually). This increase would be funded from federal forfeiture dollars collected in criminal actions by the U.S. Attorneys' Office. The U.S. Attorneys' Office divides up assets seized in a given criminal action, to law enforcement agencies involved in the action, based on their relative contributions to the action. These supplies and services costs would now be a first draw on these federal forfeiture dollars.

## Alternatives

### A. Reallocation of GPR Reductions

1. Approve the GPR funding and position changes requested by DOJ, as shown in the table.
2. Modify Alternative 1 by deleting the requested GPR funding changes related to any one or more of the following items:
  - a. Legal expenses.
  - b. Law enforcement general program operations.
  - c. Computers for TIME system.
  - d. Weed and seed and law enforcement technology grant programs.
  - e. Victims and witness general program operations.
3. Deny all requested GPR funding changes.

### B. Increases in Non-GPR Appropriations and Positions

1. Approve the non-GPR appropriation and position changes requested by DOJ, as shown in the table.
2. Modify Alternative 1 by deleting the requested non-GPR funding changes relating to any one or more of the following items:
  - a. Medical assistance matching funds.
  - b. Department of Regulation and Licensing.
  - c. Department of Workforce Development.
  - d. Transfer of 4.0 GPR forensic scientists.
  - e. Transfer of 1.0 GPR fingerprint supervisor.
  - f. Transfer of 0.4 GPR justice program supervisor and 0.1 GPR director of crime victim services.
  - g. Inmate wages.

- h. High-Intensity Drug Trafficking Area grant.
  - i. Federal methamphetamine grant.
  - j. U.S. Attorneys' Office -- federal forfeiture dollars.
3. Deny all requested non-GPR funding changes.

### MILITARY AFFAIRS

Appropriation	Source	Act 16		Request			
		Funding		Funding		Positions	
		2001-02	2002-03	2001-02	2002-03	2001-02	2002-03
(1)(a) National Guard Operations -- General Program Operations	GPR	-\$307,300	-\$307,300	-\$175,200	-\$17,100	-0.50	-0.50
(3)(a) Emergency Management -- General Program Operations	GPR	0	0	-18,500	0	0.00	0.00
(4)(b) Badger Challenge Program	GPR	0	0	0	-280,200	-0.75	-0.75
(4)(c) Youth Challenge Program	GPR	0	0	-113,600	-10,000	0.00	0.00
GPR Total		-\$307,300	-\$307,300	-\$307,300	-\$307,300	-1.25	-1.25

1. **Reallocation of GPR Reductions.** The Department of Military Affairs (DMA) was required by 2001 Wisconsin Act 16 to take a \$307,300 base level reduction to its largest GPR state operations appropriation. This reduction represents a 4% base level reduction rather than the 5% reduction that was required of most other agencies. The agency requests that \$132,100 GPR in 2001-02 and \$290,200 GPR in 2002-03 of the required reductions be reallocated to the three other state operations appropriations indicated in the above table.

a. *Emergency Management Services General Program Operations.* The agency requests that \$18,500 GPR in 2001-02 of the required reductions be reallocated to its emergency management services general program operations appropriation. The reduction would be taken entirely from salary savings that would be generated by maintaining a vacant, split-funded (50% GPR/50% FED) training position during the current fiscal year. The Department anticipates that this position would be filled during the 2002-03 fiscal year.

b. *Badger Challenge Program.* The Department requests that \$280,200 GPR in 2002-03 of the required reductions be reallocated to the Badger Challenge program operations appropriation. The requested reduction would eliminate all funding for the Badger Challenge program in that fiscal year.

The Department is given permissive authority under s. 21.25 of the statutes to administer the Badger Challenge program. The program, located at Fort McCoy, is a two-phase program for "at

risk" 14-16 year olds. Eligibility is open to any youth who is at risk of dropping out of school, regardless of income; however, at least 25% of enrollees must be TANF eligible. Phase I of the program consists of a six-week residential stay where cadets participate in activities to improve anger management, teamwork, leadership and personal growth. Phase II consists of post-residential mentoring by community volunteers.

Prior to Act 16, the Department was required to administer the Badger Challenge program. However, Act 16 deleted all funding for the program for the 2001-02 fiscal year, and, as a result, the Department's authority to operate the program was made permissive. As passed by the Legislature, the biennial budget bill included a provision specifying that DMA could not request the reallocation of base budget reductions from the remaining Badger Challenge funding for the 2002-03 fiscal year. This proposed prohibition was deleted by the Governor's item veto.

The Department's proposed funding reduction reallocation request would eliminate all remaining GPR funding for the Badger Challenge program during the current biennium. This reallocation request would also delete the program's GPR amounts for the purpose of establishing its base level of funding for the 2003-05 biennium. The Department indicates that the elimination of all program funding for the present biennium would make it nearly impossible to maintain current contacts with LTE teaching staff and with volunteers involved with the mentoring program. As a result, it would be difficult for the agency to immediately resume the program if additional funding were provided in a future biennium. The proposed reduction would also include the elimination of the GPR-funded portion of the Badger Challenge program manager position (0.75 FTE).

Notwithstanding the Governor's item veto, given the Legislature's previous clear statement of intent that it did not wish to see funding for the Badger Challenge program reduced during the 2002-03 fiscal year, the Committee could conclude that the Badger Challenge program should be held harmless to any further budget reductions. Under such an alternative, the Committee could choose to deny the agency's request to reallocate a portion of the required budget reductions to this program. If the Committee acted to deny this reallocation, the required \$280,200 GPR reduction in 2002-03 would default to the Department's largest general program operations appropriation [s. 20.465(1)(a) of the statutes].

c. *Youth Challenge Program.* The agency requests that \$113,600 GPR in 2001-02 and \$10,000 GPR in 2002-03 of the required reductions be reallocated to its Youth Challenge program operations appropriation. The requested reductions would be applied to the program's supplies and services budget.

The Department is required by s. 21.26 of the statutes to administer the Youth Challenge program. The program is a 22-week residential opportunity for youths aged 16 to 18 who are high school dropouts or habitual truants who will not graduate from high school. The goal of the program is to aid these youths in learning life skills, increasing their employment potential and

preparing them for the high school equivalency degree exam. The program is currently funded 60% with federal funds and 40% with state matching funds.

Provisions of the 1998 Defense Appropriation Act have increased the amount of the state matching requirement from 65%FED/35% GPR in 2000-01 to 60% FED/40% GPR in 2001-02 and thereafter. Because the federal and state fiscal years do not correspond (and the higher state match was not required until October 1, 2001) and because the Department also received a somewhat smaller FED allocation than was anticipated, DMA has been able to identify \$113,600 GPR in 2001-02 and \$10,000 GPR in 2002-03 of supplies and services costs for the program that will not have to be incurred. The agency has indicated that this GPR funding reduction will neither reduce available federal funding for the program nor adversely impact the number of cadets served or the types of services provided by the program. The Department expects federal funds to increase in 2002-03; consequently, a reduction of only \$10,000 GPR in state matching funds appears feasible in that fiscal year.

### **Alternatives**

#### **A. Reallocation of GPR Reductions**

1. Approve the GPR funding and position changes requested by DMA, as shown in the table.
2. Modify Alternative 1 by deleting the requested GPR funding changes related to any one or more of the following items:
  - a. Emergency management services general program operations.
  - b. Badger Challenge program.
  - c. Youth Challenge program.
3. Deny all requested GPR funding changes.

## NATURAL RESOURCES

Appropriation	Source	Act 16		Request			
		Funding		Funding		Positions	
		2001-02	2002-03	2001-02	2002-03	2001-02	2002-03
(1)(ma) Lands Division	GPR	\$0	\$0	-\$34,000	-\$34,000	0.00	0.00
(2)(ma) Air and Waste Division	GPR	0	0	-185,900	-185,900	-2.50	-2.50
(3)(ma) Enforcement and Science Division	GPR	0	0	-238,000	-238,000	-1.00	-1.00
(4)(ma) Water Division	GPR	-2,474,100	-2,474,100	-1,270,700	-1,270,700	0.00	0.00
(7)(mc) State Park, Forest, and Riverway Roads	GPR	0	0	-745,500	-745,500	0.00	0.00
GPR Total		-\$2,474,100	-\$2,474,100	-\$2,474,100	-\$2,474,100	-3.50	-3.50
(1)(mu) Wildlife Management	SEG	\$0	\$0	\$10,000	\$10,000	0.00	0.00
(3)(mu) Law Enforcement	SEG	0	0	84,800	84,800	0.00	0.00
SEG Total		\$0	\$0	\$94,800	\$94,800	0.00	0.00
(2)(mm) Remediation and Redevelopment	FED	\$0	\$0	\$98,900	\$98,900	1.50	1.50
(2)(dg) Solid and Hazardous Waste Management	PR	\$0	\$0	\$87,000	\$87,000	1.00	1.00
All Funds Total		-\$2,474,100	-\$2,474,100	-\$2,193,400	-\$2,193,400	-1.00	-1.00

1. **Reallocation of GPR Reductions.** The agency requests that \$1,203,400 of its total reduction be reallocated to the four other state operations appropriations indicated in the preceding table.

a. *Lands Division.* General operations would be reduced by \$34,000 under the request. Of this amount, a \$10,000 reduction would be taken annually from wildlife management operations by reducing the amount of funding available for wildlife health programs. In addition, \$24,000 annually would be eliminated from facilities and lands general operations expenditures. This would be absorbed by reducing funds available for limited term employees and supplies associated with the management of the Chippewa, Turtle-Flambeau, and Willow flowages.

b. *Air and Waste Division.* General operations would be reduced by \$185,900 and 2.5 positions annually. Of this total, \$93,000 and 1.0 position would be eliminated from the waste management program, which would reduce landfill inspections and audits and response to complaints related to solid and hazardous waste disposal or transport. In addition, \$92,900 and 1.5 positions would be deleted from the remediation and redevelopment program, which would reduce work on the cleanup of brownfields sites and contaminated properties with little redevelopment potential.

c. *Enforcement and Science Division.* General operations would be reduced by \$238,000 annually as well. Of this amount, \$84,800 would be taken from the Law Enforcement program by reducing the amount of funding available for warden mileage costs. Further, \$153,200 and 1.0 GPR position would be eliminated from the Bureau of Integrated Science Services. The reduction includes the elimination of a position currently dedicated to providing biometric and statistical

services and a reduction in the funding available for limited term employees working with the Aquatic and Terrestrial Resources Inventory (ATRI) program and providing administrative support.

d. *Water Division.* The Department indicates that a reduction of \$1,270,700 (rather than \$2,474,100 under Act 16) within the Division of Water would be taken from watershed management, fisheries management and habitat protection, and drinking water and ground water programs. General-purpose revenues to the watershed management program would be reduced by \$823,000 annually by reducing the number of maintenance and data updates for information technology projects, reducing the monitoring and lab analysis of contaminated sediment, eliminating four limited-term employees, reducing funds available for postage, photocopying, supplies and services, and eliminating statewide training meetings. General-purpose revenues available for fisheries management and habitat protection would be reduced by \$216,500 annually by reducing funding available for the State Lab of Hygiene contaminants analysis, wetland inventories, monitoring water chemistry projects, environmental toxicology special projects, treaty assessment work, and by eliminating GPR funding for monitoring equipment. The drinking water and ground water management program would be reduced by \$231,200 annually by reducing the inspection of transient non-community wells and equipment purchases.

e. *State Park, Forest and Riverway Roads.* Finally, the Department requests to reduce the GPR funded appropriation for state park, forest, and riverway road and parking lot development by \$745,500. The Department indicates that this reduction would require deferring several road maintenance projects as well as some parking lot development and upkeep activities.

If the GPR reallocation were not approved, DNR would be required to absorb \$1,203,400 in additional reductions to the general operations of the Water Division. The agency indicates that while a final plan for additional reductions has not been prepared, it would likely reduce funding available for the Bureau of Watershed Management by an additional \$583,800 annually, and reduce the number of limited term employees, eliminate a contract to develop a field-scale model of nutrient and sediment loading from non-point sources, reduce funding for Great Lakes remediation and restoration projects, and eliminate 7.0 staff who handle applications for federal grants. In addition, funding for the Bureau of Fisheries Management and Habitat Protection would be further reduced by \$420,600 annually, eliminating GPR for computer replacement, treaty assessment work, and 3.0 positions dedicated to water regulatory permitting work. Funding for the Bureau of Drinking Water and Ground Water would be reduced by an additional \$445,300 annually, eliminating GPR for computer replacement, 3.0 positions dedicated to State-Certified Drinking Water Laboratories – Arsenic (SDWA) work and federal grant applications, and reducing funds available for LTE support. The Water Integration Team, which would not experience a reduction under the agency's reallocation plan, could be reduced by \$22,300 annually, through the elimination of 0.5 position. Finally, funding for Water Program Management would be reduced by an additional \$179,100 annually, eliminating GIS support to DNR regional offices and eliminating 2.0 sub-basin team supervisors.

2. **Increases in Non-GPR Appropriations and Positions.** DNR requests that \$280,700 annually and 2.5 positions be reallocated to different funding sources to retain functions that would otherwise be eliminated by the GPR reductions.

a. *Wildlife Management.* The Department has requested that \$10,000 SEG from the fish and wildlife account of the conservation fund be appropriated annually to prevent a reduction in wildlife health services as a result of the GPR reduction to wildlife management in the Lands Division.

b. *Law Enforcement.* DNR had requested \$181,000 SEG annually split funded from the fish and wildlife, forestry, and parks accounts of the conservation fund to replace the five percent GPR efficiency reduction, a reduction in funding due to the PR and SEG lapses, and reductions associated with long-term vacancies affecting the Bureau of Law Enforcement. However, as this anticipates some reductions under Act 16 that are not currently before the Committee for consideration, a request to provide the \$84,800 reduced as part of the 5% GPR efficiency initiative would be appropriate to consider at this time.

c. *Remediation and Redevelopment.* DNR requests that the decrease in remediation and redevelopment GPR be offset by providing an increase of \$98,900 FED and 1.5 FED positions annually from the federal Environmental Protection Agency grant for Superfund activities.

d. *Solid and Hazardous Waste Management.* DNR requests that the decrease in waste management program GPR be offset by providing an increase in expenditure authority of \$87,000 PR and 1.0 PR position for solid and hazardous waste disposal administration. Program revenues are received from landfill plan review fees, landfill licenses and a 9¢ per ton solid waste landfill license surcharge and from hazardous waste facility licenses, transporter licenses and plan review fees at over \$2.4 million annually with expenditures of \$3 million. However, due to a \$1.8 million appropriation balance on July 1, 2001, there should be sufficient program revenues to fund authorized expenditures through 2002-03. It is probable that for subsequent years, DNR would need to review fees levels established in administrative rule to maintain a positive balance in the appropriation.

## Alternatives

### A. Reallocation of GPR Reductions

1. Approve the GPR funding and position changes requested by DNR, as shown in the table.

2. Modify Alternative 1 by deleting the requested GPR funding changes related to any one or more of the following items:

a. Lands Division.

- b. Air and Waste Division.
- c. Enforcement and Science Division.
- d. State park, forest and riverway roads.
- 3. Deny all requested GPR funding changes.

**B. Increases in Non-GPR Appropriations and Positions**

1. Approve the non-GPR appropriation and position changes requested by DNR, as shown in the table.

2. Modify Alternative 1 by deleting the requested funding changes relating to any one or more of the following items:

- a. Wildlife management SEG.
- b. Law enforcement SEG.
- c. Remediation and Redevelopment FED.
- d. Solid and hazardous waste management PR.

**PUBLIC DEFENDER**

Appropriation	Source	Act 16		Request			
		Funding		Funding		Positions	
		2001-02	2002-03	2001-02	2002-03	2001-02	2002-03
(1)(a) Program Administration	GPR	-\$116,700	-\$116,700	-\$116,700	-\$116,700	0.00	0.00
(1)(b) Appellate Representation	GPR	-21,500	-21,500	-21,500	-21,500	0.00	0.00
(1)(c) Trial Representation	GPR	-348,800	2,651,800	-348,800	-180,900	0.00	0.00
(1)(d) Private Bar and Investigator Reimbursement	GPR	-2,101,000	-5,101,600	-2,101,000	-2,268,900	0.00	0.00
(1)(e) Private Bar --Administration Costs	GPR	-28,400	-28,400	-28,400	-28,400	0.00	0.00
(1)(f) Transcripts, Discovery and Interpreters	GPR	-70,500	-70,500	-70,500	-70,500	0.00	0.00
Required GPR Lapse	GPR	<u>-550,000</u>	<u>-550,000</u>	<u>-550,000</u>	<u>-550,000</u>	<u>0.00</u>	<u>0.00</u>
GPR Total		-\$3,236,900	-\$3,236,900	-\$3,236,900	-\$3,236,900	0.00	0.00

**Reallocation of GPR Reductions.** The SPD requests that \$2,832,700 GPR in 2002-03 be transferred from the trial representation appropriation to the private bar and investigator reimbursement appropriation. The SPD proposes this transfer as a means of reducing a projected shortfall in the private bar appropriation.

Senate Bill 55, as introduced by the Governor, would have reduced the State Public Defender's (SPD's) largest GPR state operations appropriation, trial representation, by \$3,236,900 annually. This amounts to 5% of the agency's total GPR adjusted base for state operations.

The Legislature rejected the Governor's proposal to delete \$3,236,900 GPR annually from the SPD's trial representation appropriation. Instead, Enrolled SB 55 included the following changes to SPD appropriations:

<u>Appropriation</u>	<u>Source</u>	<u>Enrolled SB 55</u>			
		<u>Funding</u>		<u>Positions</u>	
		<u>2001-02</u>	<u>2002-03</u>	<u>2001-02</u>	<u>2002-03</u>
(1)(a) Program Administration	GPR	-\$116,700	-\$116,700	0.00	0.00
(1)(b) Appellate Representation	GPR	-21,500	-21,500	0.00	0.00
(1)(c) Trial Representation	GPR	2,546,000	3,024,900	59.30	59.30
(1)(d) Private Bar and Investigator Reimbursement	GPR	-2,101,000	-5,101,600	0.00	0.00
(1)(e) Private Bar -- Administration Costs	GPR	-28,400	-28,400	0.00	0.00
(1)(f) Transcripts, Discovery and Interpreters	GPR	-70,500	-70,500	0.00	0.00
Required GPR Lapse	GPR	<u>-550,000</u>	<u>-550,000</u>	<u>0.00</u>	<u>0.00</u>
GPR Total		<u>-\$342,100</u>	<u>-\$2,863,800</u>	<u>59.30</u>	<u>59.30</u>

In addition, Enrolled SB 55 would have required the Public Defender Board to: (a) determine how the total lapse amount for each year is apportioned between SPD GPR appropriations; (b) submit to the Joint Committee on Finance, at the end of each quarter in fiscal years 2001-02 and 2002-03, a report of the amount of savings recognized by the Board during the previous three months; and (c) request additional funding through the s. 13.10 process if a shortfall occurs in any appropriation.

In Act 16, the Governor made the following partial vetoes to the SPD budget: (a) deleted \$2,894,800 GPR in 2001-02 and \$373,100 GPR in 2002-03 and 59.3 GPR positions annually from the trial representation appropriation; (b) deleted the requirement that the Public Defender Board submit to the Joint Committee on Finance, at the end of each quarter in fiscal years 2001-02 and 2002-03, a report of the amount of savings recognized by the Board during the previous three months; and (c) deleted the requirement that the Board request additional funding through the s. 13.10 process if a shortfall occurs in any appropriation.

Indigent criminal defendants facing a sentence that includes incarceration, certain children involved in proceedings under the Children's and Juvenile Justice codes (Chapters 48 and 938), those indigent persons facing involuntary commitment and certain appellants are constitutionally entitled to legal representation. Under current law, the SPD provides this counsel, either through SPD staff attorneys or SPD-appointed private bar attorneys. The caseloads to be handled annually by SPD trial staff attorneys are specified by statute for budgetary purposes by type of case. Cases that are not handled by SPD staff are assigned to the private bar. Funding needed for the private bar appropriation for the biennium can be projected, therefore, based on the estimated annual caseload by type of case, the number of trial staff attorneys available to handle budgetary

caseloads, the estimated number of cases appellate staff attorneys can handle (there is no statutory budgetary caseload for appellate attorneys), and the estimated cost of a private bar case. If the current SPD s.13.10 request is not approved and assuming Act 16 caseload projections and the assignment of all SPD lapses for the biennium to the private bar appropriation, the shortfall for the private bar appropriation for the biennium is projected to be \$11.6 million, with the appropriation estimated to run short of funds beginning in mid-September, 2002. If the current s. 13.10 request is approved, applying the previous assumptions, the shortfall for the private bar appropriation for the biennium is projected to be \$8.8 million, with the appropriation estimated to run short of funds in early November, 2002. (The biennial private bar appropriation is budgeted to fully expend its appropriation by April, 2003, with remaining costs carried over to 2003-04, based on past payment practice.)

If all SPD lapses are not assigned to the private bar appropriation, it is estimated that the shortfall for the SPD for the biennium would be higher, based on analysis that concluded that it is more cost effective to assign cases to staff than it is to assign cases to the private bar.

### Alternatives

1. Approve the SPD's request.
2. Deny the request.

### REVENUE

Appropriation	Source	Act 16		Request			
		Funding		Funding		Positions	
		2001-02	2002-03	2001-02	2002-03	2001-02	2002-03
(1)(a) Collection of Taxes --							
General Program Operations	GPR	-\$4,216,300	-\$4,216,300	-\$2,267,500	-\$2,223,500	-13.00	-17.00
(2)(a) State and Local Finance --							
General Program Operations	GPR	0	0	-640,400	-827,900	-15.85	-15.85
(3)(a) Administrative Services --							
General Program Operations	GPR	0	0	-735,400	-591,900	-2.00	-3.50
(3)(b) Administrative Services --							
Integrated Tax System	GPR	0	0	-573,000	-573,000	0.00	0.00
GPR Total		-\$4,216,300	-\$4,216,300	-\$4,216,300	-\$4,216,300	-30.85	-36.35
(1)(h) Collection of Taxes -- Debt Collection	PR	\$0	\$0	\$47,900	\$47,900	1.00	1.00
(2)(hi) State and Local Finance --							
Property Assessment Manual	PR	0	0	12,700	25,400	0.50	0.50
PR Total		\$0	\$0	\$60,600	\$73,300	1.50	1.50
(2)(r) State and Local Finance --							
Lottery Credit Administration	SEG	\$0	\$0	\$9,000	\$18,100	0.25	0.25
All Funds Total		-\$4,216,300	-\$4,216,300	-\$4,146,700	-\$4,124,900	-29.10	-34.60

1. **Reallocation of GPR Reductions.** Act 16 reduced the Department of Revenue's (DOR) collection of taxes general program operations appropriation by \$4,216,300 annually to generate the 5% cost reduction. The Revenue plan would reallocate \$1,948,800 in 2001-02 and \$1,992,800 in 2002-03 to other state GPR appropriations as follows:

a. *State and Local Finance General Program Operations.* Delete 15.85 GPR positions annually and reallocate \$640,400 GPR in 2001-02 and \$827,900 GPR in 2002-03 from the state and local finance general program operations appropriation to the collection of taxes general program operations appropriation to offset a portion of the 5% reduction taken in that appropriation.

b. *Administrative Services.* Delete 2.0 GPR positions in 2001-02 and 3.5 GPR positions in 2002-03 and reallocate \$735,400 GPR in 2001-02 and \$591,900 GPR in 2002-03 from the administrative services general program operations appropriation to the collection of taxes general program operations appropriation.

c. *Integrated Tax System.* Reallocate \$573,000 GPR annually from the integrated tax system appropriation to the collection of state taxes general program operations appropriation.

In addition, 13.0 GPR positions in 2001-02 and 17.0 GPR positions in 2002-03 would be deleted from the collection of state taxes general program operations appropriation to reflect the 5% general operations funding reduction.

2. **Increases in Non-GPR Appropriations and Positions.** Revenue also requests the following non-GPR appropriation and position changes:

a. *Debt Collection.* Provide \$47,900 PR and 1.0 PR position annually in the collection of taxes debt collection appropriation to convert the funding source for 1.0 tax representative position from GPR to PR to reflect its activities in administering the debt collection program. The debt collection program involves DOR's activities related to offsetting against state tax refunds for debts to state agencies, delinquent child and spousal support and maintenance, municipal and county fines, fees and forfeitures, and reciprocal offset agreements with the federal government. The source of program revenue funding for the debt collection appropriation is an administrative charge imposed on state agencies and local units of government.

b. *Wisconsin Property Assessment Manual.* Provide \$12,700 PR in 2001-02 and \$25,400 PR in 2002-03 and 0.5 PR position annually in the Wisconsin property assessment manual appropriation to convert the funding source for 0.5 property assessment specialist position from GPR to PR to reflect its activities in producing and distributing the Wisconsin property assessment manual. The source of program revenue funding for the Wisconsin property assessment manual appropriation are fees charged to assessors and others who receive copies of the manual.

c. *Lottery Credit Administration.* Provide \$9,000 SEG in 2001-02 and \$18,100 SEG and 0.25 SEG position annually in the lottery credit administration appropriation to convert 0.25

revenue management supervisor position from GPR to PR to reflect its activities in administering the lottery credit. The source of funding for the lottery credit administration appropriation is the segregated lottery fund.

## **Alternatives**

### **A. Reallocation of GPR Reductions**

1. Approve the GPR funding and position changes requested by DOR, as shown in the table.
2. Modify Alternative 1 by deleting the requested GPR funding changes related to any one or more of the following items:
  - a. State and local finance general program operations.
  - b. Administrative services general program operations.
  - c. Integrated Tax System.
3. Deny all requested GPR funding changes.

### **B. Increases in Non-GPR Appropriations and Positions**

1. Approve the non-GPR appropriation and position changes requested by DOR, as shown in the table.
2. Modify Alternative 1 by deleting the requested non-GPR funding changes related to any one or more of the following items:
  - a. Convert 1.0 GPR position for debt collection administration.
  - b. Convert 0.5 GPR position for the Wisconsin Property Assessment Manual.
  - c. Convert 0.25 GPR position for lottery credit administration.
3. Deny all requested non-GPR funding changes.

## WORKFORCE DEVELOPMENT

Appropriation	Source	Act 16		Request			
		Funding		Funding		Positions	
		2001-02	2002-03	2001-02	2002-03	2001-02	2002-03
(1)(a) Workforce Development -- General Program Operations	GPR	-\$502,600	-\$502,600	-\$55,600	-\$55,600	-1.20	-1.20
(3)(a) Workforce Solutions -- General Program Operations	GPR	0	0	<u>-447,000</u>	<u>-447,000</u>	<u>-2.94</u>	<u>-2.94</u>
GPR Total		-\$502,600	-\$502,600	\$502,600	-\$502,600	-4.14	-4.14

1. **Reallocation of GPR Reductions.** Act 16 reduced the Department of Workforce Development's (DWD) workforce development general program operations appropriation by \$502,600 GPR annually to generate the 5% cost reduction. The DWD plan would reallocate \$447,000 GPR annually of the Act 16 reductions to the GPR appropriation for general program operations in the Division of Workforce Solutions as follows:

a. **Workforce Solutions General Program Operations.** (1) *Unemployment Insurance.* Delete 2.94 GPR positions and reallocate \$136,000 GPR annually from the Division of Workforce Solutions general program operations appropriation to the Workforce Development program operations appropriation. This position authority was identified for elimination earlier this year to offset the creation of additional positions in the Unemployment Insurance (UI) Division.

(2) *LTE Funding.* Reallocate \$80,000 GPR annually in LTE funding from the Division of Workforce Solutions general program operations appropriation to the Workforce Development general program operations appropriation.

(3) *Contracts, Supplies and Services.* Reduce \$231,000 GPR annually from contracts, supplies and services in the Division of Workforce Solutions and reallocate those funds to the Workforce Development general program operations appropriation. DWD indicates that this funding cut will not negatively affect the state's temporary assistance for needy families (TANF) maintenance-of-effort requirement, but the Department has not yet decided which contracts or services would be affected by the reduction.

In addition, 1.2 GPR positions annually would be deleted from the Workforce Development general program operations appropriation to reflect the remaining \$55,600 annual reduction in that appropriation. This position authority was also designated for elimination from the UI Division earlier in the year.

## Alternatives

### A. Reallocation of GPR Reductions

1. Approve the GPR funding and position changes requested by DWD, as shown in the table.
2. Modify Alternative 1 by deleting the requested GPR funding changes related to any one or more of the following items:
  - a. Unemployment Insurance positions.
  - b. LTE funding.
  - c. Contracts and supplies and services funding.
3. Deny all requested GPR funding.

## HEALTH AND FAMILY SERVICES

Appropriation	Source	Act 16		Request			
		Funding		Funding		Positions	
		2001-02	2002-03	2001-02	2002-03	2001-02	2002-03
(1)(a) Public Health --							
General Program Operations	GPR	\$0	\$0	-\$214,900	-\$214,900	-3.50	-3.50
(2)(a) Care and Treatment Facilities --							
General Program Operations	GPR	-8,035,500	-8,035,500	-16,300	-16,300	0.00	0.00
(2)(b) Wisconsin Resource Center	GPR	0	0	-8,195,300	-6,594,300	-130.25	-101.65
(2)(bm) Secure Mental Health Units or Facilities	GPR	0	0	4,107,700	2,511,500	73.25	44.65
(2)(ef) Lease Rental Payments	GPR	0	0	-39,000	-39,000	0.00	0.00
(3)(cw) Milwaukee Child Welfare Services --							
General Program Operations	GPR	0	0	-625,200	-630,000	0.00	0.00
(3)(cx) Milwaukee Child Welfare Services -- Aids	GPR	0	0	-1,875,800	-1,889,800	0.00	0.00
(3)(df) Child Abuse and Neglect Prevention Technical Assistance	GPR	0	0	-160,000	-160,000	0.00	0.00
(4)(b) Medical Assistance Program Benefits	GPR	0	0	80,800	99,600	0.00	0.00
(4)(bm) Medical Assistance and BadgerCare Administration	GPR	0	0	-240,600	-245,400	0.00	0.00
(6)(ee) Administrative Expenses for SSI State Supplement	GPR	0	0	-200,000	-200,000	0.00	0.00
(8)(a) General Administration --							
General Program Operations	GPR	0	0	-656,900	-656,900	-6.50	-6.50
GPR Total		<u>-\$8,035,500</u>	<u>-\$8,035,500</u>	<u>-\$8,035,500</u>	<u>-\$8,035,500</u>	<u>-67.00</u>	<u>-67.00</u>
(1)(m) Public Health --							
Federal Project Operations	FED	\$0	\$0	\$164,100	\$164,100	2.50	2.50
(1)(mc) Public Health --							
Block Grant Operations	FED	0	0	50,800	50,800	1.00	1.00
(3)(m) Children and Family Services --							
Federal Project Operations	FED	0	0	160,000	160,000	0.00	0.00
(4)(o) Federal Aid -- Medical Assistance	FED	0	0	2,660,700	2,660,700	0.00	0.00
(4)(pa) Federal Aid -- Medical Assistance Contracts Administration	FED	0	0	-325,200	-325,200	0.00	0.00
FED Total		<u>\$0</u>	<u>\$0</u>	<u>\$2,710,400</u>	<u>\$2,710,400</u>	<u>3.50</u>	<u>3.50</u>
(2)(gk) Care and Treatment Facilities --							
Institutional Operations and Charges	PR	\$0	\$0	\$320,700	\$320,700	0.00	0.00
(3)(kx) Children and Family Services -- Interagency and Intra-Agency Programs	PR	0	0	625,300	630,000	0.00	0.00
(3)(kw) Interagency and Intra-Agency Aids -- Milwaukee Child Welfare Services	PR	0	0	1,875,800	1,889,800	0.00	0.00
(8)(k) General Administration --							
Administrative and Support Services	PR	0	0	320,700	320,700	6.00	6.00
PR Total		<u>\$0</u>	<u>\$0</u>	<u>\$3,142,500</u>	<u>\$3,161,200</u>	<u>6.00</u>	<u>6.00</u>
All Funds Total		<u>-\$8,035,500</u>	<u>-\$8,035,500</u>	<u>-\$2,182,600</u>	<u>-\$2,163,900</u>	<u>-57.50</u>	<u>-57.50</u>

## Reallocation of GPR Reductions and Increases in Non-GPR Appropriations and Reductions

The request of the Department of Health and Family Services replaces a significant portion of the Act 16 GPR reduction with federal funds and program revenues. Because a number of the affected programs under the Department's request utilize multiple funding sources, the format of this portion of the document describes the entire funding change of each program, rather than first discussing the GPR reduction allocations and then increases in non-GPR appropriations.

a. *Sand Ridge Secure Treatment Center and Wisconsin Resource Center Units.* The DHFS request would decrease funding for the Wisconsin Resource Center (WRC) by \$8,169,000 GPR in 2001-02 and \$6,568,000 GPR in 2002-03 and delete 130.25 GPR positions in 2001-02 and 101.65 GPR positions in 2002-03 and increase funding for the Sand Ridge Secure Treatment Center (SRSTC) by \$4,107,700 GPR in 2001-02 and \$2,511,500 GPR in 2002-03 and provide 73.25 GPR positions in 2001-02 and 44.65 GPR positions in 2002-03 to reflect the net effect of: (a) maintaining approximately 50 closed beds at the WRC following the transfer of sexually violent persons from WRC to SRSTC; and (b) keeping two 25-bed units closed at SRSTC, based on a reestimate of the SVP population. In addition, this item would decrease funding to support fuel costs at the SRSTC by \$39,000 GPR annually.

The WRC currently has 430 beds, excluding 30 beds in a segregated unit used by inmates with the most difficult behavior problems. Under an agreement reached between DHFS and the Department of Corrections, 60 of the 430 treatment beds will continue to be used for the initial, short-term treatment of sexually violent persons (SVPs) and SVPs who refuse treatment and 320 will be occupied by inmates so that funding would be provided to staff 380, rather than 430 treatment beds at the WRC in each year of the biennium. Consequently, 50 of the beds for which funding was budgeted in Act 16 will remain vacant.

The STSTC has 300 beds. Currently, there are 185 SVPs placed at the SRSTC. Based on the administration's current estimates of the number of SVP commitments that will be made in the 2001-03 biennium, DHFS believes that it can retain two, 25-bed units vacant at SRSTC in the biennium. Under the administration's current estimates, by June, 2003, the number of SVPs that will be placed at STSTC will total 238. The population projection assumes that the number of SVP commitments will continue to increase at a rate of approximately two SVPs per month.

The net GPR savings associated with this item (\$4,100,300 GPR in 2001-02 and \$4,095,500 GPR in 2002-03) represents approximately 51% of the Department's total state GPR operations reduction (\$8,035,500 annually). However, the Governor and Legislature's 5% reduction applied to all DHFS state operations appropriations except debt service and fuel and utilities, including the facilities operated by the Division of Care and Treatment Facilities (DCTF). This was inconsistent with the treatment of the correctional facilities operated by DOC, for which the 5% reduction was not applied. Had DCTF been excluded from this reduction, DHFS' lapse requirement would have been reduced by \$3,916,000 GPR annually. Although adopting this item in the Department's plan will result in GPR cost savings in the 2001-03 biennium, these GPR funding reductions are not

likely to be permanent, since inmate and SVP populations are likely to continue to increase in future biennia.

This item includes retaining 16.0 GPR positions at the SRSTC that otherwise would have been deleted by retaining vacant units at STSTC. These positions would provide basic medical services to SVPs at Sand Ridge that, under the funding budgeted in Act 16, were expected to be provided under contract with a private vendor. Although DHFS contracted with a vendor for these services, the vendor and DHFS mutually agreed to terminate the contract because: (a) the health care needs of the patients at Sand Ridge were greater than the vendor had anticipated; (b) the vendor did not have experience working in a noncorrectional environment, which made it difficult for the vendor to adapt its policies and practices to this facility; and (c) the vendor had not been able to provide a number of services that are required under the contract. The request includes transferring \$834,900 GPR annually from SRSTC's variable nonfood budget to its permanent positions salary budget (\$602,900 GPR) and to its fringe benefit budget (\$232,900 GPR).

b. *Fund Certain Child Welfare Services as Targeted Case Management Services.* The request would reduce GPR funding for the Division of Children and Family Services (DCFS) by \$2,501,000 GPR in 2001-02 and \$2,519,800 GPR in 2002-03 and increase estimates of federal MA matching funds by corresponding amounts to reflect that DHFS intends to claim certain child welfare services costs that are currently funded entirely with GPR, as MA-eligible targeted case management services. DHFS intends to begin submitting MA claims for costs of case management services provided to children in out-of-home care in Milwaukee County who are MA-eligible but not eligible under Title IV-E of the Social Security Act. This item includes increasing PR funding in DCFS by \$2,501,100 in 2001-02 and by \$2,519,800 in 2002-03 to reflect the transfer of federal MA funds from the Division of Health Care Financing to DCFS.

Federal law defines case management services as services that will assist an MA-eligible individual in gaining access to needed medical, social, educational and other services. These services are considered "targeted" case management services when they are only available to a specific group of MA-eligible individuals. The state's MA state plan amendment to establish MA state reimbursement for targeted case management services for children in out-of-home care was approved by the U.S. Department of Health and Human Services in March, 2001.

c. *MA and BadgerCare County Incentive Payments.* The request would reduce the MA and BadgerCare contract administration appropriations by \$120,000 GPR and \$90,000 FED annually to reflect the elimination of incentive payments to counties. These payments are intended to provide incentives to counties so that county income maintenance workers request information from individuals applying for MA benefits on the applicant's health insurance status and income from child support payments. Currently, \$90,000 GPR and \$90,000 FED annually is budgeted for health insurance data incentive payments and \$30,000 GPR annually for child support data incentive payments. Federal funding for these payments is available to support MA-eligible administrative costs on a 50% GPR/50% FED matching basis.

ADMINISTRATION

Agency Requests for Reallocation of 5% ATB Reduction

Department of Justice (Substitute Alternative)

[Agenda Item X]

Motion:

Move to: (a) adopt Alternatives A2d and B1 under the Department of Justice; (b) decrease the law enforcement general program operations appropriation by an additional \$500,000 GPR annually; (c) increase the law enforcement services' drug law enforcement and crime laboratories program revenue appropriation by \$100,000 PR annually; and (d) increase the law enforcement services' criminal history searches; fingerprint identification appropriation by \$150,000 PR annually.

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Note:

This motion would approve DOJ's request for reallocation of GPR funds, with the exception of its request to delete \$500,000 GPR annually from the weed and seed and law enforcement technology grant programs. Instead, this \$500,000 annual GPR reduction would be applied to DOJ's law enforcement general program operations appropriation. In addition, the motion would increase two DOJ appropriations: (a) law enforcement services' drug law enforcement and crime laboratories appropriation, which is supported by revenue from the \$5 crime laboratory assessment and the \$250 DNA surcharge, by \$100,000 PR annually; and (b) law enforcement services' criminal history searches; fingerprint identification appropriation, which is supported by revenue from criminal history search fees, by \$150,000 PR annually.

MO#

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
ROSENZWEIG	Y	N	A

DARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 16 NO 0 ABS 0

ADMINISTRATION

Reallocation of 5% Reductions

Motion:

Move the following alternatives under the Fiscal Bureau's paper for the following agencies:

- Administration: A1 and B1
- Commerce: A1 and B1
- Employment Relations: 1
- Ethics Board: 1
- Historical Society: 1
- Judicial Commission: 1
- Public Defender: 1
- Revenue: A1 and B1
- ~~Workforce Development: A1~~
- Health and Family Services: 1

MO# \_\_\_\_\_

2	BURKE	Y	N	A
	DECKER	Y	N	A
	MOORE	Y	N	A
	SHIBILSKI	Y	N	A
	PLACHE	Y	N	A
	WIRCH	Y	N	A
	DARLING	Y	N	A
	ROSENZWEIG	Y	N	A
1	GARD	Y	N	A
	KAUFERT	Y	N	A
	ALBERS	Y	N	A
	DUFF	Y	N	A
	WARD	Y	N	A
	HUEBSCH	Y	N	A
	HUBER	Y	N	A
	COGGS	Y	N	A

AYE 16 NO 0 ABS \_\_\_\_\_

ADMINISTRATION

Fee, Chargeback or Assessment Approvals  
Agenda Item X

Motion:

Move to provide that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under this item (Agenda Item X) may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process.

MO#			
2	BURKE	Y	N A
	DECKER	Y	N A
	MOORE	Y	N A
	SHIBILSKI	Y	N A
	PLACHE	Y	N A
	WIRCH	Y	N A
	DARLING	Y	N A
	ROSENZWEIG	Y	N A
	GARD	Y	N A
	KAUFERT	Y	N A
	ALBERS	Y	N A
	DUFF	Y	N A
	WARD	Y	N A
	HUEBSCH	Y	N A
	HUBER	Y	N A
	COGGS	Y	N A
	AYE	16	NO 0 ABS



## Legislative Fiscal Bureau

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

November 11, 2002

TO: Members  
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Approval of Transition Budget for the Governor-Elect

### BACKGROUND

Under s. 13.09(5) of the statutes, the Joint Committee on Finance is required to convene, within one week after the general election in November, to approve a transition budget for the Governor-Elect whenever that person is a non-incumbent governor. The statute provides that this transition budget is to enable the "incoming governor to review and analyze the [biennial] budget, to hire staff and obtain [temporary office] space, and to do such other tasks as the committee approves." A proposed transition budget for the Governor-Elect is usually submitted to the Committee by the Governor-Elect's transition staff.

Under the statutorily-required timeline for action on a transition budget request, a meeting of the Committee to deal with such a request is required by November 12, 2002. Further, the statutes specifically provide that with regard to a transition budget request, the normal s. 13.10 procedures do not apply. This means that there is no request submitted by a state agency (rather the transition team submits it), there is no (incumbent) Governor's recommendation provided with respect to the request, and the Committee's action on the request is not subject to item veto by the incumbent Governor. A notice of formal Committee action on the transition budget request would, however, appropriately be communicated by the Co-chairs to the Governor-Elect and the Department of Administration.

The statute further directs that any funding approved is authorized to be paid from the existing sum sufficient appropriation for the operation of the Governor's Office [s. 20.525 (1)(a)]. Therefore, no release of funds from the Committee's supplemental appropriation is required. The statute also provides that any transition staff employed by the Governor-Elect are to be placed on the payroll of the Office of the Governor.

For the Committee's information, listed below are the transition budget amounts that were approved for the three prior incoming administrations when the Governor-Elect was a non-incumbent.

<u>Date</u>	<u>Approved Budget</u>
November, 1978	\$46,887
November, 1982	46,402
November, 1986	44,361

### **TRANSITION BUDGET REQUEST**

Attached to this memorandum is a copy of the proposed transition budget which has been submitted by Governor-Elect Doyle's transition staff to the Committee for approval under s. 13.09(5).

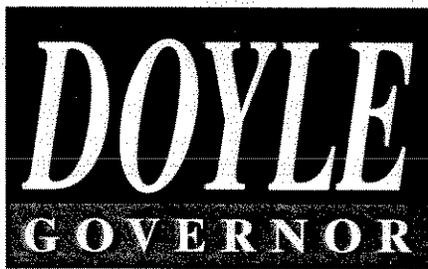
A summary of the requested budget is provided below:

#### **Summary of Transition Budget Request**

<u>Item</u>	<u>Amount</u>
Staff Salaries & Fringe Benefits (11.0 Positions)	\$76,500
Supplies and Services	
Travel	3,600
Equipment (computers, copies, fax)	1,000
Phone (voice and data lines)	3,000
Office Supplies	<u>3,400</u>
Total	\$87,500

The Committee is scheduled to meet to consider this request at 1:00 p.m., Monday, November 11, 2002, in Room 412 East, State Capitol.

Prepared by: Terry Rhodes  
Attachment



November 8, 2002

Representative John Gard, Assembly Chair  
Senator Brian Burke, Senate Chair  
Joint Committee on Finance  
State Capitol  
Madison, WI

Dear Representative Gard and Senator Burke:

Pursuant to Sec. 13.09 (5), Stats., I am forwarding the request of Governor-Elect James E. Doyle for funding needed to establish the administration of the incoming Governor, including hiring staff, making appointments, reviewing the state budget submission, and other necessary tasks. In light of the state's current fiscal situation, Governor-Elect Doyle has attempted to limit the expenditures for the transition and I believe you will find this request to be relatively modest.

If you have any questions concerning the transition budget, which is attached, please contact me at 284-2002.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Goodwin".

Susan Goodwin  
Transition Director

TRANSITION STAFF AND BUDGET

TITLE	Monthly salary	Total (7 weeks)
Transition Director	\$7,000	\$12,000
Assistant to the Director	\$2,500	\$4,400
Governor-elect assistant	\$3,000	\$5,250
Scheduler	\$3,500	\$6,100
Receptionist	\$2,000	\$3,500
Operations Manager	\$4,000	\$7,000
Press Secretary	\$6,000	\$10,500
Assistant Press Secretary	\$3,500	\$6,100
Personnel Director	\$5,000	\$8,750
Assistant Personnel	\$2,500	\$4,300
Policy/Budget Director	\$0	\$0
Assistant Policy/Budget	\$4,000	\$4,000
Staff salaries		\$72,000
Social security @ 7.15%		\$ 4,500
STAFF SUBTOTAL		\$76,500
Travel		\$3,600
Equipment (computers, copiers, fax)		\$1,000
Phones/voice/data lines		\$3,000
Office supplies/stationary/postage		\$3,400
Total		\$87,500

TRANSITION BUDGET FOR THE GOVERNOR-ELECT

Motion:

Move to approve transition budget for the Governor-Elect as submitted.

MO#				
②	BURKE	Y	N	A
	DECKER	Y	N	A
	MOORE	Y	N	A
	SHIBILSKI	Y	N	A
	PLACHE	Y	N	A
	WIRCH	Y	N	A
	DARLING	Y	N	A
	ROSENZWEIG	Y	N	A
①	GARD	Y	N	A
	KAUFERT	Y	N	A
	ALBERS	Y	N	A
	DUFF	Y	N	A
	WARD	Y	N	A
	HUEBSCH	Y	N	A
	HUBER	Y	N	A
	COGGS	Y	N	A

Risser

AYE 16 NO 0 ABS

BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

  X   YES

           NO

  Brian Burke  

Signature

  12/5/01  

Date

BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

YES

NO

Russ Decker  
Signature

11-30-01  
Date

BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

X YES

\_\_\_\_\_ NO

Jwendelyn Moore  
Signature

Dec 5 2001  
Date

Kevin  
Shubitski

BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

✓ YES

\_\_\_\_\_ NO

Kevin Shubitski  
Signature

12/3/01  
Date

**BALLOT**

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

  X   YES

       NO

Kim Glache  
Signature

11-29-01  
Date

**BALLOT**

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

✓ YES

\_\_\_\_\_ NO

Robert W. Wurch  
Signature

12-4-01  
Date

# BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

  X   YES

           NO

Alberta Darling  
Signature

12/4/01  
Date

BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

  X   YES

           NO

Gregory Rosenzweig  
Signature

Dec. 4, 2001  
Date

# BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

  X   YES

       NO

John M. Stand  
Signature

12-03-01  
Date

BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

  X   YES

           NO

Dean Harfitt  
Signature

11-30-01  
Date



## BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

X YES

\_\_\_\_\_ NO

  
Signature

11/29/01  
Date

BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

  X   YES

       NO

  Daija    
Signature

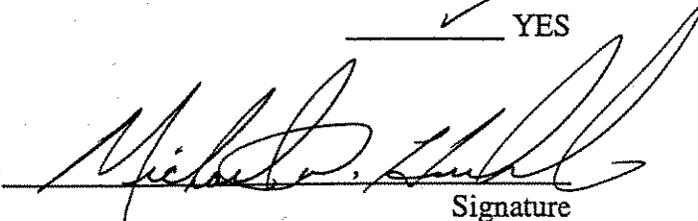
  11-29-01    
Date

**BALLOT**

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

YES

NO

  
Signature

12-4-01  
Date

## BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

  X   YES

           NO

Greg Huber  
Signature

12-04-01  
Date

# BALLOT

Shall the November 5, 2001, action of the Joint Committee on Finance on Agenda Item X, stipulating that no state agency which receives approval for any program revenue or segregated funding supplementation or position authorization under Agenda Item X may increase any fees, chargebacks or assessments for any appropriation associated with those supplements or position authorizations without first receiving the approval of the Joint Committee on Finance under a 14-day passive review process, be upheld, notwithstanding the objection of the Governor?

X YES

\_\_\_\_\_ NO

*Anna Cagg*  
Signature

\_\_\_\_\_  
Date