



Legislative Fiscal Bureau

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

A

May 18, 2001

Joint Committee on Finance

Paper #134

Funding Conversion of Certain Public Benefits Administrative Costs (DOA -- General Agency Provisions)

CURRENT LAW

Under current law, the Department of Administration (DOA) oversees the administration of a statewide public benefits program, which provides assistance to low-income households for weatherization and energy conservation-related services and funds efforts to develop energy conservation and renewable resources alternatives. During the current fiscal year, \$12,384,200 SEG supports the on-going administrative costs associated with the operation of the public benefits program. Of these amounts, \$529,900 SEG annually is budgeted for direct staff support and related supplies and services funding for 5.0 SEG positions involved with the implementation of the public benefits function.

GOVERNOR

Continue base level administrative funding for the program.

DISCUSSION POINTS

1. The Joint Committee on Finance, at its July 12, 2000, meeting under s. 13.10 of the statutes, provided an initial base-building supplement of \$12,384,200 SEG to DOA to support its administrative costs associated with the implementation of the statewide public benefits program. Of these amounts, \$10,100,000 SEG was placed in unallotted reserve, primarily to fund the future costs of retaining a program evaluator, a fiscal agent, a public benefits marketing coordinator and specialized policy consultants. The funds in unallotted reserve would be released to the Department under a 14-day passive review mechanism, once DOA had developed more definitive projections of its funding needs for these consultant services.

2. As part of a recent DOA request submitted to this Committee in support of the release from unallotted reserve of \$4,429,600 SEG in 2000-01 for an evaluation coordinator and a financial compliance agent for the statewide public benefits program, the agency recommended funding certain senior management staff in the Division of Energy and Public Benefits, certain financial and other support administrative staff in the Division of Administrative Services and some general supplies and services costs relating to the public benefits program from the segregated Public Benefits Fund rather than from their current GPR funding source.

3. The following positions and support costs would be converted from GPR to SEG funding:

<u>Position or Cost Item</u>	<u>Salary</u>	<u>Fringe Benefits</u>	<u>Supplies & Services</u>	<u>Total</u>
1.0 Division Administrator	\$86,900	\$30,400	\$3,000	\$120,300
1.0 Energy Markets Director	66,300	23,200	3,000	92,500
1.0 FTE Administrative Support	45,000	15,800	3,000	63,800
1.0 FTE Administrative Support	45,000	15,800	3,000	63,800
General Supplies and Services	0	0	100,000	100,000
TOTAL	\$243,200	\$85,200	\$112,000	\$440,400

4. The principal rationale for proposing this funding conversion is that the transfer of responsibility for the statewide public benefits program to DOA has significantly impacted the amount of time that senior management in the agency's energy function devotes to these activities. Once the major investor-owned utilities have transitioned all of their public benefits funding to the state program by the 2003 calendar year and assuming the same level of utility customer public benefits payments, the program will exceed \$104,155,000 SEG annually. Additional human resources, financial management, management services and IT support commitments have increasingly occupied staff time, particularly in DOA's Division of Administrative Services. The proposed funding conversion would also recognize these shifts in workload.

5. Further, it should be noted that the funding conversion would reallocate existing base level, but uncommitted, resources already budgeted for public benefits administrative costs. As a result, the funding conversion would not result in less funding being available for low-income and energy efficiency and renewable resource development activities.

6. Consequently, the Committee may conclude that the funding conversion is appropriate and should be adopted.

7. However, the Department would prefer to defer this funding conversion at this time and identify it instead as a cost-saving component as part of the proposed mandatory 5% base level reduction to its GPR-funded general program operations appropriations that would be required under the bill during the next biennium. If Committee believes that this concern has merit, it could take no action and maintain current law funding for certain senior energy management staff, certain

financial support and related administrative staff and some general public benefits-related supplies and services costs.

ALTERNATIVES

1. Convert \$440,400 annually and 4.0 positions (2.0 FTE senior management staff in the Division of Energy and Public Benefits and 2.0 FTE administrative support staff in the Division of Administrative Services) and general supplies and services costs relating to the public benefits program from GPR funding to funding from currently appropriated base level administrative funds from the segregated Public Benefits Fund.

<u>Alternative 1</u>	<u>GPR</u>	<u>SEG</u>	<u>TOTAL</u>
2001-03 FUNDING (Change to Bill)	- \$880,800	\$0	- \$880,800
2002-03 POSITIONS (Change to Bill)	- 4.00	4.00	0.00

2. Take no action.

MO# Alt 1

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
WELCH	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 10 NO 6 ABS _____

*Alt 2
Czrell*



Legislative Fiscal Bureau

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May 18, 2001

Joint Committee on Finance

Paper #135

Office of Federal-State Relations in Washington, D. C. (DOA -- General Agency Provisions; DHFS; DOT and DWD)

CURRENT LAW

Under provisions of s. 16.548 of the statutes, the Department of Administration (DOA) may maintain an Office of Federal-State Relations in Washington, D.C., for the purpose of promoting federal-state cooperation. The Governor may appoint an unclassified Director and staff assistant for the Office, subject to the concurrence of the Joint Committee on Legislative Organization. The DOA staff for the Office serves at the pleasure of the Governor. The Departments of Health and Family Services (DHFS), Transportation (DOT), and Workforce Development (DWD) also maintain classified staff at the Office.

If DOA maintains an Office of Federal-State Relations in Washington, D.C., the Office is required to report to the Legislature on a quarterly basis detailing the activities of the Office during the preceding three months and indicating the status of federal legislation of concern to the Legislature and other state agencies.

GOVERNOR

Continue base level funding and staffing at the Washington, D.C., Office of Federal-State Relations in the 2001-03 biennium.

DISCUSSION POINTS

1. Currently, the Washington, D.C., Office of Federal-State Relations is staffed by 6.0 FTE positions from four different state agencies. DOA has 2.0 GPR unclassified staff (the Office

Director and a staff assistant) assigned to the Office and provides the principal supplies and services support for its operation. DHFS maintains 1.0 GPR position (office management specialist) and 1.0 FED position (administrative manager) at the Office, DOT maintains 1.0 SEG position (policy initiatives advisor) at the Office, and DWD maintains 1.0 PR project position (program and planning analyst 6) at the Office.

2. The total annual budgeted costs of the Office are as follows:

	<u>GPR</u>	<u>FED</u>	<u>PR</u>	<u>SEG</u>	<u>Total</u>
Administration					
Salaries/Fringe Benefits	\$173,400	\$0	\$0	\$0	\$173,400
Supplies and Services	<u>93,900</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>93,900</u>
Subtotal	\$267,300	\$0	\$0	\$0	\$267,300
Health and Family Services					
Salaries/Fringe Benefits	\$120,100	\$42,500	\$0	\$0	\$162,600
Supplies and Services	<u>1,200</u>	<u>1,200</u>	<u>0</u>	<u>0</u>	<u>2,400</u>
Subtotal	\$121,300	\$43,700	\$0	\$0	\$165,000
Transportation					
Salaries/Fringe Benefits	\$0	\$0	\$0	\$99,000	\$99,000
Supplies and Services	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,200</u>	<u>1,200</u>
Subtotal	\$0	\$0	\$0	\$100,200	\$100,200
Workforce Development					
Salaries/Fringe Benefits	\$0	\$0	\$54,600	\$0	\$54,600
Supplies and Services	<u>0</u>	<u>0</u>	<u>1,200</u>	<u>0</u>	<u>1,200</u>
Subtotal	\$0	\$0	\$55,800	\$0	\$55,800
TOTAL	\$388,600	\$43,700	\$55,800	\$100,200	\$588,300

3. The two DOA staff in the Office review and monitor federal legislation and regulatory proposals and actions and provide information on these matters to state agencies, the Governor and the Legislature. As required by law, the Office did provide eight quarterly reports of its activities to the 1999 Legislature. In addition, the Office serves as on-site staff for the Governor when he is in Washington, and may represent the Governor on various national organizations and committees convened in Washington. The Office also responds to constituent letters, assists other state officials when they are in Washington, provides information to the state's Congressional delegation and assists with testimony of state officials at hearings and meetings in Washington.

4. DHFS, DWD and DOT staff perform functions similar to the DOA staff, except that their responsibilities are limited to specific issues that affect programs administered by their respective agencies. These activities may include: informing federal officials of the state agency's policy and program concerns; working on federal legislation that may affect specific agency

programs; seeking to maximize federal funding received by the state; and attempting to ensure that maximum possible flexibility is accorded to the state in implementing a specific agency program supported with federal funds.

5. In recent years, the trend has been for more and more agency staff to be permanently assigned to the Washington, D. C., Office of Federal-State Relations. DHFS has had a separate staff position assigned to the Washington Office since at least 1990; however, in the last four or five years, it has added an additional position. In addition, DOT and DWD have both newly assigned staff to the Washington Office during the last four years.

6. DOT indicates that the transportation position is expected to work on issues related to the reauthorization of federal transportation aid programs, with the goal of increasing the amount of federal aid that the state receives. It is expected that, during the next two years, Congress will craft legislation to replace the current surface transportation program act (the Transportation Equity Act for the 21st Century or TEA-21), which expires on September 30, 2003.

7. Providing information on federal legislative proposals and making opportunities available to influence the development of federal legislation are services currently also made available to Wisconsin officials through a variety of number of other sources, in addition to the Washington, D.C., Office of Federal-State Relations. For example:

- The Wisconsin Congressional delegation of eleven members has approximately 135 staff members in Washington. Each office has staff members who provide information to state agencies and legislators on federal legislation and can help represent the state's interests in Congress.

- The Office of the Governor and the Legislature are members of national organizations such as the National Governors' Association and the National Conference of State Legislatures. These organizations also maintain offices and staffs in Washington, D.C., to provide federal fiscal and policy information to their members, monitor the development of federal legislation and track federal regulatory actions.

- DOA's Division of Housing and Intergovernmental Relations maintains a staff of 5.35 FTE positions in Madison to provide liaison services and assistance to state agencies, the Governor and the Legislature on questions pertaining to federal aid programs and the federal budget.

- Discretionary travel funding in state agency budgets often allows state senior officials and program staffs to travel to Washington D.C., for direct face-to-face input with their federal counterparts on federal funding issues and federal law changes that may affect their agencies.

- A variety of technological innovations such as teleconferencing and interactive Internet capabilities can allow state officials to access federal officials without the need to travel to Washington or to utilize the services of the Washington, D.C., Office of Federal-State Relations.

8. The question could be raised whether a separate Washington, D.C., Office of Federal-State Relations is necessary, given the number and variety of alternative resources that are currently available to state policymakers. If the Committee believes that this consideration has merit and views the Office of Federal-State Relations to be duplicative, it could consider eliminating the Office and the associated staff assigned to it.

9. However, DOA, DHFS, DWD and DOT could argue that the benefits to the state of having on-site staff available in Washington to monitor and participate in the development of federal legislation outweigh the costs of maintaining the Office. Further, the Office plays an important role in informing state agencies of federal legislative proposals. For these reasons, the Committee may wish to retain the Office.

ALTERNATIVES

1. Repeal the statutory authorization for an Office of Federal-State Relations in Washington, D. C., and delete the following funding amounts and position authorizations associated with staff assigned to the Office by the following state agencies: (a) \$267,300 GPR annually and 2.0 GPR unclassified positions in the Department of Administration; (b) \$121,300 GPR annually and 1.0 GPR position and \$43,700 FED annually and 1.0 FED position in the Department of Health and Family Services; (c) \$100,200 SEG annually and 1.0 SEG position in the Department of Transportation; and (d) \$55,800 PR annually and 1.0 PR project position in the Department of Workforce Development.

<u>Alternative 1</u>	<u>GPR</u>	<u>FED</u>	<u>PR</u>	<u>SEG</u>	<u>TOTAL</u>
2001-03 FUNDING (Change to Bill)	- \$777,200	- \$87,400	- \$111,600	- \$200,400	- \$1,176,600
2002-03 POSITIONS (Change to Bill)	- 3.00	- 1.00	- 1.00	- 1.00	- 6.00

2. Delete the following funding amounts and position authorizations associated with one or more of the following staff assigned to the Office of Federal-State Relations in Washington, D.C.:

a. Department of Administration: \$175,800 GPR annually and 2.0 GPR unclassified positions [*\$91,500 GPR annually would be retained for office rent and related supplies under this alternative*].

<u>Alternative 2a</u>	<u>GPR</u>
2001-03 FUNDING (Change to Bill)	- \$351,600
2002-03 POSITIONS (Change to Bill)	- 2.00

b. Department of Health and Family Services: \$121,300 GPR annually and 1.0 GPR position and \$43,700 FED annually and 1.0 FED position.

<u>Alternative 2b</u>	<u>GPR</u>	<u>FED</u>	<u>TOTAL</u>
2001-03 FUNDING (Change to Bill)	- \$242,600	- \$87,400	- \$330,000
2002-03 POSITIONS (Change to Bill)	- 1.00	- 1.00	- 2.00

c. Department of Transportation: \$100,200 SEG annually and 1.0 SEG position.

<u>Alternative 2c</u>	<u>SEG</u>
2001-03 FUNDING (Change to Bill)	- \$200,400
2002-03 POSITIONS (Change to Bill)	- 1.00

d. Department of Workforce Development: \$55,800 PR annually and 1.0 PR project position.

<u>Alternative 2d</u>	<u>PR</u>
2001-03 FUNDING (Change to Bill)	- \$111,600
2002-03 POSITIONS (Change to Bill)	- 1.00

3. Maintain current law.

MO# _____

Pre

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
WELCH	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

*Att 1
Carol
Nelson*

AYE _____ NO _____ ABS _____



Legislative Fiscal Bureau

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May 18, 2001

Joint Committee on Finance

Paper #136

Volunteer Firefighter Service Award Program (DOA -- General Agency Provisions)

CURRENT LAW

A Volunteer Firefighter and EMT Service Award Board is attached to the Department of Administration (DOA). Any city, village or town that operates or contracts with a volunteer fire department or authorizes volunteer EMT services may participate in a service award program for such volunteers. These municipalities may contribute whatever amount they wish to a third-party administrator to maintain an account on behalf of the volunteer. The state Volunteer Firefighter and EMT Service Award Board will provide an initial maximum state match to the municipal contributions of up to \$250 per individual account per year. Upon meeting certain age and vesting requirements, the volunteer firefighter or EMT may withdraw the accumulated service award amounts, plus investment returns, at retirement. The state match is subject to an annual inflation adjustment, commencing in the 2002-03 fiscal year. A sum sufficient appropriation, estimated at \$600,000 GPR annually, funds awards under the program. This sum sufficient appropriation is subject to a statutory annual expenditure cap of \$2,000,000 GPR.

GOVERNOR

Continue base level expenditure estimates of \$600,000 GPR annually for the state match requirement for volunteer firefighter and EMT service awards.

DISCUSSION POINTS

1. Based on the most current information from the Department of Commerce, through March 31, 2001, there were 724 volunteer fire departments. The Department estimates that these volunteer fire departments have 22,100 members. In addition, the Department of Health and Family

Services licenses EMT personnel and reports that currently there are 3,372 volunteer EMTs.

2. When 1999 Wisconsin Act 105 was enacted, establishing the service award program for volunteer firefighters and EMT's, the sum sufficient service award appropriation was estimated at \$600,000 GPR annually on the assumption that initially as many as 10% of the state's volunteer firefighters and volunteer EMT's would be successful in securing annual municipal contributions towards which a state matching grant would be provided.

3. The Volunteer Firefighter and EMT Service Award Board was not appointed until January of this year. At this writing, the Board has neither established eligibility rules for participation under the program nor selected a third-party administrator to manage the service awards accounts and investments. Consequently, it is not expected that any GPR-funded service award state match payments will be made during the current fiscal year.

4. This office conducted a random survey of state volunteer fire departments in an attempt to gauge the current level of knowledge about and interest in participating in the program and to assess the likelihood that municipal contributions would be forthcoming.

5. It appears that only a few of the volunteer fire departments have actually been successful in obtaining a commitment of municipal funding support in calendar year 2001 for the locally required contribution that is a prerequisite for state matching funds. These initial state matching payments are likely to be paid during the first part of the 2001-02 fiscal year.

6. Volunteer fire departments cited the fact that many serve multiple municipalities, which makes it difficult to obtain the proper funding commitments from all localities. In addition, current expenditure restraints on municipalities make it difficult for many of them to commit new funding to a volunteer firefighter and volunteer EMT service award program at this time. Consequently, there is no certainty the degree to which the volunteer fire departments will actually be successful in securing the municipal funding commitment.

7. Slightly more of the fire departments contacted in our survey stated that municipal funding might be more likely in calendar year 2002 or 2003. Based on these general findings, it would appear reasonable that participation under the program would not likely exceed 7% of the membership of all volunteer fire departments (an estimated 1,780 individuals) in 2001-02 but could approach 10% of the membership of all volunteer fire departments (an estimated 2,547 individuals) by 2002-03.

8. Under this scenario, the Committee could reduce the current base level estimate of \$600,000 GPR provided for the state's service award match by -\$155,000 GPR in 2001-02 and increase the amount by \$53,900 GPR in 2002-03. The 2002-03 reestimate also includes a projected inflationary adjustment of 2.7%, which would apply to the amount of the state match in that fiscal year.

ALTERNATIVES

1. Reestimate the volunteer firefighter and EMT service award state matching funds sum sufficient appropriation by -\$155,000 GPR in 2001-02 and \$53,900 GPR in 2002-03 to reflect revised estimates of participation in the program.

<u>Alternative 1</u>	<u>GPR</u>
2001-03 FUNDING (Change to Base)	- \$101,100

2. Take no action.

*Alt 1
Gard OK*

Prepared by: Darin Renner

MO# Alt. 1

BURKE	<input checked="" type="checkbox"/>	N	A
DECKER	<input checked="" type="checkbox"/>	N	A
MOORE	<input checked="" type="checkbox"/>	N	A
SHIBILSKI	<input checked="" type="checkbox"/>	N	A
PLACHE	<input checked="" type="checkbox"/>	N	A
WIRCH	<input checked="" type="checkbox"/>	N	A
DARLING	<input checked="" type="checkbox"/>	N	A
WELCH	<input checked="" type="checkbox"/>	N	A
GARD	<input checked="" type="checkbox"/>	N	A
KAUFERT	<input checked="" type="checkbox"/>	N	A
ALBERS	<input checked="" type="checkbox"/>	N	A
DUFF	<input checked="" type="checkbox"/>	N	A
WARD	<input checked="" type="checkbox"/>	N	A
HUEBSCH	<input checked="" type="checkbox"/>	N	A
HUBER	<input checked="" type="checkbox"/>	N	A
COGGS	<input checked="" type="checkbox"/>	N	A

AYE 16 NO 0 ABS _____

ADMINISTRATION

General Agency Provisions

LFB Summary Items for Which No Issue Paper Has Been Prepared

Item #	Title
1	Standard Budget Adjustments
3	Base Level Position Reductions
5	Elimination of the Energy Efficiency Fund
7 (part)	Transfer of Other Agency Staff to DOA
11	Federal and State Interest Payments Under the Federal Cash Management Improvement Act
12	Functions of the Federal-State Relations Office
15 (part)	Agency Appropriations Consolidations

LFB Summary Items to be Addressed in a Subsequent

Item #	Title	MO#			
		BURKE	Y	N	A
		DECKER	Y	N	A
		MOORE	Y	N	A
2	Debt Service Reestimate	STUBBS	Y	N	A
4	Base Budget Reductions	PLACHE	Y	N	A
6	Tobacco Settlement Agreement Securitization Implementation	WIRCH	Y	N	A
		DARLING	Y	N	A
		WELCH	Y	N	A

LFB Summary Items for Introduction as Separate

Item #	Title				
		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

10 (part)	State and Local Government Policy Coordination	AYE	NO	ABS
14	Study of State Agency Plan Reviews of Nursing Home Facilities			

Historical Society

Bill Agency

(LFB Budget Summary Document: Page 421)

LFB Summary Item for Which an Issue Paper Has Been Prepared

Item #

Title

-

Historical Legacy Trust Fund (Paper #535)



Legislative Fiscal Bureau

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May 18, 2001

Joint Committee on Finance

Paper #535

**Historical Legacy Trust Fund
(Historical Society)**

*Att 1
Decker
Moore*

*Att 2
Huber
Nathan
IP 2 facts*

*Huber
Plache
Shibitsky
Wraah*

CURRENT LAW

A nonlapsible historical legacy trust fund was created in 1997 Act 27. The first \$50,000 deposited to the legacy trust fund and earnings from this money are deposited to a separate account within the fund, designated as the bicentennial account. The statutes provide that the balance in this account will be used for the period between January 1, 2046 and December 30, 2048, to commemorate the 200th anniversary of Wisconsin's statehood.

Release of the remaining trust fund balance is contingent upon the Society providing matching moneys or pledges. Upon release, the legacy funds and the matching funds are to be placed in an endowment fund. Earnings from the endowment may be used to fund historical legacy programs which include: (1) programs that increase funding or develop new sources of revenues for the Society; and (2) creation and expansion of historical outreach programs related to the activities of the former Wisconsin Sesquicentennial Commission.

GOVERNOR

No provision.

DISCUSSION POINTS

1. The historical legacy trust fund was created to continue to receive any residual funds generated by the Wisconsin Sesquicentennial Commission once the state's 150th anniversary was finished, and once the Commission ceased to exist. As of April 30, 2001, the balance in the legacy trust fund was \$96,300, including a \$4,900 balance in a related DOA appropriation that would be repealed under the bill. Of this, \$50,000 plus interest to date of approximately \$6,500, is reserved in

a separate account within the trust fund for the state's bicentennial celebration. The remaining balance was approximately \$39,800.

2. By the end of the biennium, the unreserved balance of the historical legacy trust fund is expected to be approximately \$40,000. The Historical Society has not and does not intend to seek release of these funds to generate revenues to fund historical legacy programs, as provided under current law. Therefore, the unreserved balance of the historical legacy trust fund could be lapsed to the general fund.

3. The Historical Society has indicated that it would be their priority to use these funds, which were generated to celebrate the history of Wisconsin, for a program to promote history education. Specifically, the Society would like to use these funds toward administration of the History Day program in the state.

4. The History Day program is a year-long curricular effort in which students conduct original research on an historical topic chosen at the national level by the nonprofit National History Day program. Students showcase their original projects through performances, media, exhibits or research papers at a series of local, regional and state competitions.

5. The national History Day program has been in existence since 1974, and has been conducted in Wisconsin on and off since the early 1980s, primarily by various University of Wisconsin institutions. The University of Wisconsin – Stevens Point hosted the program last year, and has agreed to host it for 2001, but has indicated that 2001 will be its last year. According to Historical Society officials, if the Society does not take over administration of the program the program will likely cease to exist in Wisconsin.

6. Currently, 47 states and the District of Columbia participate in the History Day program, involving more than 700,000 students from grades six through 12. Winners at the state level are eligible to participate in the national competition. Because the Wisconsin program has been primarily run by volunteers, there has been no central tracking as to the number of Wisconsin students that participate in the program.

7. In its budget request, the Society included a proposal for \$105,200 GPR in 2002-03 to administer the History Day program, including funding for providing central coordination of the program, developing and distributing instructional materials around the annual theme, offering in-service workshops for teachers to incorporate the program in to the curriculum, providing ongoing assistance for participating students, coordinating regional competitions and hosting the state competition.

8. Historical Society officials indicate that the \$40,000 in one-time funds that would be available from the unreserved balance of the legacy trust fund could assist in providing some start-up funds toward the cost of implementing the program. The Society will continue to work toward generating private funds for the program in 2001-02, and identifying a stable source of funds to continue the program on an ongoing basis.

9. The Committee could lapse the unreserved balance of the trust fund to the Society's program revenue general operations appropriation to provide one-time funding of \$40,000 PR in 2001-02 for the Historical Society to use toward taking over the administration of the History Day program.

ALTERNATIVES

1. Eliminate the historical legacy program appropriation and statutory language relating to historical legacy programs under the Historical Society. Specify that the historical legacy trust fund bicentennial account would remain and would continue to generate interest on the reserved \$50,000 for the state's bicentennial celebration. Provide that the unreserved balance of the historical legacy trust fund with total funds of approximately \$40,000, would lapse to the general fund, including the balance of a DOA appropriation from the fund that would be repealed under the bill.

<u>Alternative 1</u>	<u>GPR</u>
2001-03 REVENUE (Change to Bill)	\$40,000

2. Include the provisions of Alternative 1, except deposit the unreserved balance of the historical legacy trust fund to the Society's program revenue, general operations appropriation. The \$40,000 PR would be appropriated as one-time funds in 2001-02 for the Society to administer the History Day program.

<u>Alternative 2</u>	<u>PR</u>
2001-03 REVENUE (Change to Bill)	\$40,000
2001-03 FUNDING (Change to Bill)	\$40,000

3. Maintain current law.

No vote

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	
WELCH	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	

Prepared by: Carri Jakel

HISTORICAL SOCIETY

Green Bay City Stadium Commemorative Project

Motion:

Move to provide up to \$30,000 GPR in 2001-02 for a grant to the Greater Green Bay Community Foundation for the City Stadium Commemorative Project to commemorate the football field where City Stadium was located prior to Lambeau Field.

Note:

The City Stadium Commemorative Project is a three phase project to commemorate the East High School football field in Green Bay where City Stadium was located prior to Lambeau Field. The estimated cost of the first phase is \$180,000. The Foundation has raised \$150,000. This motion would provide the remaining funds needed to complete the first phase.

[Change to Bill: \$30,000 GPR]

MO#			
BURKE	(S)	N	A
DECKER	(S)	N	A
MOORE	Y	N	(A)
SHIBILSKI	(S)	N	A
PLACHE	(S)	N	A
WIRCH	(S)	N	A
DARLING	Y	(S)	A
WELCH	Y	(S)	A
GARD	Y	(S)	A
KAUFERT	Y	(S)	A
ALBERS	Y	(S)	A
DUFF	Y	(S)	A
WARD	Y	(S)	A
HUEBSCH	Y	(S)	A
HUBER	(Y)	N	A
COGGS	(Y)	N	A

HISTORICAL SOCIETY

Restoration of the "Victorious Charge" Civil War Monument

Motion:

Move to provide \$50,000 GPR in 2001-02 for the restoration of the "Victorious Charge" Civil War monument.

Note:

The "Victorious Charge" Civil War monument is located in the City of Milwaukee. Total cost of the restoration of the monument is estimated at \$139,000. The Milwaukee Arts Board has applied for and received a grant of \$28,000 from the National Endowment for the Arts and Target Stores for the restoration, and is working on raising other private and public funds.

This motion would provide \$50,000 GPR toward the cost of restoration of the monument.

[Change to Bill: \$50,000 GPR]

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

HISTORICAL SOCIETY

Purchase of Instructional Materials by School Districts

Motion:

Move to allow school districts to use moneys from the common school fund to purchase instructional materials from the State Historical Society to use in teaching Wisconsin history.

Note:

Under current law, income from the common school fund is distributed annually to school districts for the purchase of library books and other instructional materials for school libraries.

This motion would allow school districts to use moneys from the common school fund to purchase instructional materials from the Historical Society to use in teaching Wisconsin history.

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
	WELCH	(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

HISTORICAL SOCIETY

Historical Legacy Trust Funds

[LFB Paper #535]

Motion:

Move to transfer the unreserved balance of the historical legacy trust fund to the Society's appropriation for admissions, sales and other receipts, and provide \$40,000 PR in 2001-02 to fund marketing activities for Old World Wisconsin. Eliminate the historical legacy program appropriation and statutory language relating to historical legacy programs under the Historical Society. In addition, specify that the historical legacy trust fund bicentennial account would remain and would continue to generate interest on the reserved \$50,000 for the state's bicentennial celebration.

Note:

This motion would replace Alternatives 1 or 2 on LFB Paper #535, to eliminate the historical legacy appropriation and statutory language relating to historical legacy programs, and provide that the unreserved balance in the historical legacy trust fund, of approximately \$40,000, be appropriated as one-time funds for marketing activities for Old World Wisconsin.

[Change to Bill: \$40,000 PR-REV and \$40,000 PR]

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

HISTORICAL SOCIETY

LFB Summary Items for Which No Issue Paper Has Been Prepared

Item #	Title
1	Standard Budget Adjustments
4	Fuel and Utility Reestimate
5	Program Revenue Reestimate
6	Position Transfer
7	Program and Appropriation Consolidation

DISMOTION
for Hansen

LFB Summary Item to be Addressed in a Subsequent Paper

Item #	Title
2	Base Budget Reductions
3	Debt Service Reestimates

LFB Summary Item for Introduction as Separate Legisla

Item #	Title
8	Repeal Historical Society Endowment Fund Council

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SMITH	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	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 _____ NO _____ ABS _____

Restoration Plan
"The Victorious Charge"
Wisconsin's Civil War Monument
West Wisconsin Avenue, Milwaukee

Background

This bronze monument is the most important 19th century monument in the state of Wisconsin. When erected in 1898 it was the centerpiece of the City, part of the Court of Honor. This spot on West Wisconsin Avenue between 8th and 10th Street, is a green boulevard space at the top of a slight hill on Milwaukee's main street, then named Grand Avenue. When the monument was completed art critics considered the monument to be the most artistically sensitive interpretation of the Civil War. Artist, John Conway, dramatically captured a moment in battle with great intensity and realism.

The dedication of the monument may have been Milwaukee's largest civic ceremony of the century with tens of thousands of people in attendance. The citizens came out to honor the 77,000 Wisconsin men that served in the Civil War. The ceremony coincided with the Golden Jubilee of Wisconsin's entry into the Union. Marching veterans, drum corps and bicycle performers entertained the crowds. The leader of this project, Lydia Ely, unveiled the bronze monument while the band played, "Marching Through Georgia."

Condition Today

Because of neglect Wisconsin's grandest sculpture tableau is in terrible condition. A long trail of rust runs down the trouser of one of the soldiers revealing the deterioration of the iron armature that supports and hold together the elaborate monument. The sculpture is at risk of collapse. The entire surface is covered with dirt, dust and corrosion. Incorrect attempts at restoration resulted in poor alignment of sections of the bronze, allowing water to enter the inside where more corrosion is hidden. The City of Milwaukee is the owner of the monument and is aware of its condition. There is an expert assessment by a nationally respected conservator. The budget for the Civil War Monument restoration is daunting, \$139,000.

Plan

In the past the Milwaukee Arts Board has worked with Save Outdoor Sculpture!, a national effort to identify, assess and restore sculpture. Through a grant process MAB has secured \$28,000 from Target Stores and the National Endowment for the Arts. MAB is asking the State of Wisconsin to budget \$50,000 for the restoration; this is truly public/private partnership project. We are approaching local civic groups, corporations,

foundations and individuals. We plan to raise the funds for the restoration this year and early next. The monument is to be restored in the spring and summer of 2002 with a rededication of *The Victorious Charge* in the fall. MAB will invite all the state and local dignitaries to this event and have a bronze plaque placed on the monument pedestal with the names of the major donors. (Those who donate \$10,000 or more.) MAB plans to have the governor and/or the mayor do the rededication and include music and other celebratory events.

Public Awareness and Participation

Milwaukee Arts Board representatives are working with local Civil War groups; however, we cannot rely on these groups for major donations. They are helping by mounting displays at the central Milwaukee Public Library and writing to other veterans groups. To date we have received several hundred dollars from these groups.

Milwaukee County Historical Society has agreed to mount a Civil War exhibit, which will open this year on Memorial Day. It will remain on display for a full year.

Expert conservators will remove the bronze tableau monument from its pedestal in the spring of 2002. A Civil War drum and fife ^{corp} will highlight this event by a march from the monument to the MCHS and the exhibit.

We are working with the Milwaukee Public Library and the Girl Scouts on other awareness projects for young people.

Milwaukee Arts Board will alert the art community through Gallery Nights this year. We plan newspaper, television & radio interviews.

Budget

The monuments complex bronze elements will need conservation; corroding iron and copper alloys removed; interiors cleaned and internal armatures replaced; missing scabbard, bayonet tip and monocular recast and replaced; cleaning; repatination. The granite pedestal will be cleaned and restored.

	Costs	
Labor	\$85,500	
Supplies, Materials	43,500	
other costs	<u>10,000</u>	
	\$139,000	
	Funds	*denotes committed
Grant, NEA/Target	\$28,000*	
State of Wisconsin	50,000	
Foundations, Corporations	44,000	
in-kind services (City)	8,000*	
Civic groups, individuals	<u>9,000</u>	
	\$139,000	



Legislative Fiscal Bureau

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May 18, 2001

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Budget Issue Papers

Attached are 2001-03 budget issue papers, prepared by this office, on the following agencies:

- District Attorneys
- Elections Board
- Ethics Board
- Department of Justice
- Department of Corrections -- Juvenile Corrections
- Department of Health and Family Services -- Departmentwide and Management and Technology
- Department of Health and Family Services -- Care and Treatment Facilities
- Department of Workforce Development -- Departmentwide
- Department of Workforce Development -- Employment, Training and Vocational Rehabilitation Programs
- Temporary Assistance for Needy Families (TANF)
- Department of Workforce Development -- Economic Support and Child Care (other than TANF)

These agencies have been scheduled for executive action by the Joint Committee on Finance on Monday, May 21 (beginning at 1:00 p.m.) and Tuesday, May 22 (beginning at 10:00 a.m.). The meetings will held in Room 411 South, State Capitol.

BL/sas
Attachments

2001-03 BUDGET PAPERS

May 21 - 22, 2001

Paper

District Attorneys

- 380 Elimination of Special Prosecution Clerks Fee and Appropriation
- 381 Additional Prosecutors

Elections Board

Ethics Board

Justice

- 560 Elimination of the Research and Information Services Unit
- 561 Handgun Purchaser Record Check Fee
- 562 Restitution Appropriation
- 563 Federal Funding Reestimates
- 564 Minor Policy and Technical Changes -- GPR-Earned Reestimates
- 565 Minor Policy and Technical Changes -- Sum Sufficient Reestimate

Corrections -- Juvenile Corrections

- 360 Overview of Juvenile Population Estimates and Daily Rates
- 361 Alternate Care
- 362 Serious Juvenile Offender Funding
- 363 Population-Related Cost Adjustments
- 364 Elimination of the Juvenile Boot Camp Program
- 365 Calendar Year Allocation of Youth Aids Funding

Health and Family Services -- Departmentwide and Management and Technology

- 460 Program Revenue Lapses
- 461 Required Reports and Plans
- 462 Income Augmentation Revenue

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Health and Family Services -- Care and Treatment Facilities

- 500 State Centers -- Budget Reductions to Reflect CIP IA Placements Made During the 2001-03 Biennium
- 501 Drug, Food, Medical and Other Variable Costs
- 502 Supervised and Conditional Release
- 503 Mental Health Institutes -- Revised Funding Split
- 504 Budget Corrections

Workforce Development -- Departmentwide

Workforce Development -- Employment, Training and Vocational Rehabilitation Programs

- 1025 Division of Community Services Programs
- 1026 Automated Work Permit System and Fee Increase
- 1027 Labor and Industry Review Commission -- Supplies and Services Funding
- 1028 Unemployment Insurance Tax and Wage and Reporting System Redesign
- 1029 Wisconsin Conservation Corps -- Funding for Crews
- 1030 Wisconsin Conservation Corps -- Corps Member Benefits
- 1031 Governor's Work-Based Learning Board -- Youth Apprenticeship Training Grants
- 1032 Governor's Work-Based Learning Board -- Career Counseling Centers

Temporary Assistance for Needy Families (TANF)

- 1040 TANF Overview
- 1041 Revised Estimates for Wisconsin Works (W-2) and TANF Related Programs

W-2 Agency Contracts

- 1042 W-2 Contract Allocations
- 1043 W-2 Contract Policy Issues
- 1044 W-2 Financial Oversight

Child Care

- 1045 Direct Child Care Program
- 1046 Program Reduction Options to Pay for Child Care Subsidies
- 1047 Programs to Improve Child Care Quality and Availability
- 1048 Child Care Licensing Funding (DHFS -- Children and Families)
- 1049 Child Care Local Pass-Through Program

Other Current Programs in DWD and DHFS

- 1050 Kinship Care Funding (DHFS -- Children and Families)

Paper #

- 1051 Food Stamps for Qualified Immigrants
- 1052 Fatherhood Initiative
- 1053 Public Assistance Collection Unit

DWD Appropriations Structure

- 1054 Federal Block Grant Appropriations
- 1055 Joint Committee on Finance Authority to Review Expenditures of Federal TANF and Child Care Block Grant Funds

Workforce Development -- Economic Support and Child Care (Other Than TANF Issues)

- 1056 Food Stamp Reinvestment
- 1057 Transfer of Medical Assistance Eligibility Administration to the Department of Health and Family Services

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Cumulative List Thru May 22, 2001

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- 126 Transfer of Electrician Position to the Department of Administration
- 127 Division of Vocational Rehabilitation -- Position Transfer to DOA
- 128 Transfer of the State Fair Park Police Function to DOA
- 129 Task Force on Technology and Electoral Participation
- 130 State and Local Government Policy Coordination
- 131 Minor Policy and Technical Change -- School District Data and Video Line Connection Fees
- 132 Agency Appropriations Consolidations
- 133 Badger State Games Assistance
- 134 Funding Conversion of Certain Public Benefits Administrative Costs
- 135 Office of Federal-State Relations in Washington, D.C.
- 136 Volunteer Firefighter Service Award Program

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Agriculture, Trade and Consumer Protection -- Departmentwide and Resource Management

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- 206 Federal Grant Levels
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- 270 Primary Prevention Staff
- 271 "Celebrate Children" License Plate Revenue and Segregated Revenue Reestimate
- 272 Miscellaneous Budget Adjustments

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- 276 Minor Policy and Technical Changes -- GPR-Earned Reestimates
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Commerce -- Departmentwide and Economic Development

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- 281 International Liaison Funding
- 282 Administrative Position Reallocation
- 283 Economic Development Administration Consolidation
- 284 Community-Based Economic Development Program Conversion to New Economy for Wisconsin Program
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Commerce -- Building and Environmental Regulation

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- 301 Aviation Fuel Petroleum Inspection Fee Allowance
- 302 PECFA -- Revenue Obligation Authority
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- 304 PECFA -- High-Cost Sites
- 305 PECFA -- Interest Cost Reimbursement
- 306 PECFA -- Farm Tank Eligibility
- 307 Groundwater Monitoring Near Onsite Wastewater Treatment Systems
- 308 Transfer Code Consultant Section to Administrative Services Division
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Corrections -- Juvenile Corrections

- 360 Overview of Juvenile Population Estimates and Daily Rates
- 361 Alternate Care
- 362 Serious Juvenile Offender Funding
- 363 Population-Related Cost Adjustments
- 364 Elimination of the Juvenile Boot Camp Program
- 365 Calendar Year Allocation of Youth Aids Funding

Court of Appeals

- 375 Staff Attorneys
- 376 Minor Policy and Technical Changes -- GPR-Earned Reestimates

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- 380 Elimination of Special Prosecution Clerks Fee and Appropriation
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Electronic Government

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- 456 Rural Policy Advisor Position

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- 461 Required Reports and Plans
- 462 Income Augmentation Revenue

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- 500 State Centers -- Budget Reductions to Reflect CIP IA Placements Made During the 2001-03 Biennium
- 501 Drug, Food, Medical and Other Variable Costs
- 502 Supervised and Conditional Release
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- 504 Budget Corrections

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Health and Family Services -- Community Aids and Supportive Living

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- 517 Urban/Rural Substance Abuse Treatment Grants for Women and Substance Abuse Services Grants
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- 560 Elimination of the Research and Information Services Unit
- 561 Handgun Purchaser Record Check Fee
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- 565 Minor Policy and Technical Changes -- Sum Sufficient Reestimate

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- 606 Creation of a Wisconsin Naval Militia

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- 648 Managing Wildlife Diseases
- 649 Venison Processing Donation Program
- 650 Automated License Issuance System
- 651 Forestry and Law Enforcement Radio Equipment
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- 653 Fuel Tax Transfer Reestimates
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- 675 Nonpoint Program Funding
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- 801 Business Tax Registration Administration and Debt Collection Funding
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- 856 Administrative Funding for College Savings and College Tuition and Expenses Programs
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Technology for Educational Achievement in Wisconsin Board

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- 871 E-rate Funding
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Tobacco Settlement Securitization

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University of Wisconsin Hospital and Clinics Board

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Workforce Development -- Employment, Training and Vocational Rehabilitation Programs

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1032 Governor's Work-Based Learning Board -- Career Counseling Centers

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1040 TANF Overview

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Child Care

1045 Direct Child Care Program

1046 Program Reduction Options to Pay for Child Care Subsidies

1047 Programs to Improve Child Care Quality and Availability

1048 Child Care Licensing Funding (DHFS -- Children and Families)

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Other Current Programs in DWD and DHFS

- 1050 Kinship Care Funding (DHFS -- Children and Families)
- 1051 Food Stamps for Qualified Immigrants
- 1052 Fatherhood Initiative
- 1053 Public Assistance Collection Unit

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- 1054 Federal Block Grant Appropriations
- 1055 Joint Committee on Finance Authority to Review Expenditures of Federal TANF and Child Care Block Grant Funds

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- 1056 Food Stamp Reinvestment
- 1057 Transfer of Medical Assistance Eligibility Administration to the Department of Health and Family Services

District Attorneys

Base Agency

(LFB Budget Summary Document: Page 237)

LFB Summary Items for Which Issue Papers Have Been Prepared

<u>Item #</u>	<u>Title</u>
2	Elimination of Special Prosecution Clerks Fee and Appropriation (Paper #380)
-	Additional Prosecutors (Paper #381)

AGENCY: DAs

Paper #: 380

ISSUE: Elimination of Special Prosecution Clerks Fee and Appropriation

ALTERNATIVE: 2 (modifies Gov's rec. slightly)

SUMMARY: A \$2 special prosecution clerks fee is assessed (in MKE County only) whenever a person pays a fee for a number of actions. All monies generated are deposited in the DA's other employees PR appropriation. This reimburses MKE County for 4.5 clerks in MKE DA's office that serve prosecutors handling violent crime and felony drug violations in MKE County's speedy drug and violent crime courts.

Gov. wants to transfer the fee collection and retention to MKE County as a less cumbersome approach.

Prepared by: Tanya

PAH
John



Legislative Fiscal Bureau

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May 21, 2001

Joint Committee on Finance

Paper #380

Elimination of Special Prosecution Clerks Fee and Appropriation (District Attorneys)

[LFB 2001-03 Budget Summary: Page 237, #2]

CURRENT LAW

A \$2 special prosecution clerks fee is assessed, in Milwaukee County only, whenever a person pays a fee for civil, small claims, forfeiture (except for safety belt use violations), wage earner or garnishment actions, or to file an appeal from municipal court, to file a third party complaint in a civil action or for filing a counterclaim or cross complaint in a small claims action. All moneys generated by the special prosecution clerks fee are deposited in the District Attorneys' other employees program revenue appropriation. This appropriation reimburses Milwaukee County for the salary and fringe benefits of 4.5 clerks in the Milwaukee County District Attorney's office who serve prosecutors handling violent crime and felony drug violations in Milwaukee County's speedy drug and violent crime courts.

GOVERNOR

Make the following changes: (a) delete \$174,700 PR annually and the other employees appropriation that provides reimbursement to the Milwaukee County District Attorney's office for clerks who serve prosecutors handling violent crimes and felony drug violations in Milwaukee County's speedy drug and violent crime courts; and (b) eliminate the \$2 special prosecution clerks fee, to first apply to cases filed on the effective date of the bill.

DISCUSSION POINTS

1. Currently, revenues generated by the \$2 special prosecution clerks fee are collected by the Milwaukee County Clerk of Court and then forwarded to the State Treasurer for deposit in the District Attorneys' other employees appropriation. Every six months the Department of Administration (DOA) reimburses the Milwaukee County District Attorney's office from the

District Attorneys' other employees appropriation for either the period of January through June (payments made in July) or July through December (payments made in January) for the salary and fringe benefits associated with the 4.5 clerk positions.

2. The executive budget book indicates that the intent of the Governor's provisions concerning the special prosecution clerks fee and appropriation was not to eliminate the fee, but rather to eliminate this reimbursement arrangement and instead allow Milwaukee County to directly retain the revenue from the special prosecution clerks fee. The bill, however, deletes the special prosecution clerks fee and related appropriation. Under current law, upon the deletion of this appropriation, the appropriation's unencumbered balance, reestimated to be \$149,400 on June 30, 2001, would lapse to the general fund.

3. Some might argue that to the extent that court fees serve as a barrier to the courtroom, elimination of the fee would reduce the barrier. However, elimination of the fee would leave unfunded 4.5 clerk positions who serve prosecutors handling violent crime and felony drug violations in Milwaukee County's speedy drug and violent crime courts.

4. Transferring retention of fee revenue to Milwaukee County and eliminating state reimbursement could be seen as a less cumbersome and more direct approach to funding the special clerks. However, the timing of the transfer could impact state and Milwaukee County revenues.

5. Under the bill, funding for state reimbursement to Milwaukee County would be eliminated beginning in 2001-02, the District Attorneys' other employees appropriation would be repealed upon the effective date of the bill, and the special prosecution clerks fee would be eliminated beginning with cases filed on the effective date of the bill. Since January through June costs are reimbursed in July and July through December costs reimbursed in January, the effect of the bill would be to retroactively eliminate reimbursement to Milwaukee County, effective January 1, 2001. In a letter to the Co-Chairs dated March 21, 2001, the State Budget Director indicated that this was not the Governor's intent and requested that the budget bill be modified to delay the effective date for repealing the state-administered special prosecution clerk fee to allow time for a smooth transition of the fee as a county-administered program.

6. In order to have the transfer of costs to Milwaukee County coincide with the receipt of revenues, the following alternative could be considered: (a) provide \$174,700 PR in 2001-02 to allow for reimbursement to Milwaukee County for calendar year 2001 costs; (b) repeal the District Attorneys' other employees appropriation, effective June, 30, 2002; and (c) do not eliminate the special prosecution clerks fee but instead provide that fee revenues be retained by Milwaukee County, beginning with cases filed on January 1, 2002. Under this alternative, Milwaukee County would begin receiving fee revenues on the same date that the costs of the 4.5 clerk positions would no longer be reimbursed by the state. It is estimated that under this alternative an unencumbered balance of \$72,000 would lapse to the general fund upon repeal of the appropriation on June 30, 2002.

ALTERNATIVES TO BASE

1. Approve the Governor's recommendation to: (a) delete \$174,700 PR annually and repeal the District Attorneys' other employees appropriation that reimburses the Milwaukee County District Attorney's office for the salaries and fringe benefits of 4.5 special prosecution clerks; and (b) eliminate the \$2 special prosecution clerks fee that provides program revenue for the reimbursement, to first apply to cases filed on the effective date of the bill. It is estimated that \$149,400 would lapse to the general fund upon repeal of the program revenue appropriation.

<u>Alternative 1</u>	<u>GPR</u>	<u>PR</u>	<u>PR-Lapse</u>	<u>TOTAL</u>
2001-03 REVENUE (Change to Base)	\$149,400	- \$389,000	\$149,400	- \$389,000
<i>[Change to Bill]</i>	<i>\$149,400</i>	<i>\$6,200</i>	<i>\$149,400</i>	<i>\$6,200</i>
2001-03 FUNDING (Change to Base)	\$0	- \$349,400	\$0	- \$349,400
<i>[Change to Bill]</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>

2. Modify the Governor's recommendation as follows: (a) provide \$174,700 PR in 2001-02; (b) repeal the District Attorneys' other employees appropriation, effective June 30, 2002; and (c) provide that the \$2 special prosecution clerks fee will not be eliminated, but that revenue from the fee will be retained by Milwaukee County, for the costs of special clerks providing services to Milwaukee County prosecutors handling violent crime and felony drug violations, effective as of January 1, 2002, to first apply to cases filed on that date. Under this alternative, it is estimated that \$72,000 would lapse to the general fund upon repeal of the program revenue appropriation.

<u>Alternative 2</u>	<u>GPR</u>	<u>PR</u>	<u>PR-Lapse</u>	<u>TOTAL</u>
2001-03 REVENUE (Change to Base)	\$72,000	- \$291,800	\$72,000	- \$291,800
<i>[Change to Bill]</i>	<i>\$72,000</i>	<i>\$103,400</i>	<i>\$72,000</i>	<i>\$103,400</i>
2001-03 FUNDING (Change to Base)	\$0	- \$174,700	\$0	- \$174,700
<i>[Change to Bill]</i>	<i>\$0</i>	<i>\$174,700</i>	<i>\$0</i>	<i>\$174,700</i>

3. Maintain current law.

<u>Alternative 3</u>	<u>PR</u>
2001-03 REVENUE (Change to Base)	\$0
<i>[Change to Bill]</i>	<i>\$395,200</i>
2001-03 FUNDING (Change to Base)	\$0
<i>[Change to Bill]</i>	<i>\$349,400</i>

Prepared by: Paul Onsager

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
WELCH	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 _____ NO _____ ABS _____

AGENCY: DAs

Paper #: 381

ISSUE: Additional Prosecutors

ALTERNATIVE: 1 (WDDA recommendation). \$2,447,600 GPR. 26.6 positions in 01-02 and 28.1 in 02-03.

SUMMARY: Duh.

Prepared by: Tanya

*Huber/Kaufert
Motion
(Common School Fund)
(18 prosecutors)*



Legislative Fiscal Bureau

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May 21, 2001

Joint Committee on Finance

Paper #381

Additional Prosecutors (District Attorneys)

CURRENT LAW

District Attorneys are authorized 412.15 full-time equivalent (FTE) prosecutor positions.

GOVERNOR

No provision.

DISCUSSION POINTS

1. Under 1999 Act 9, the Governor vetoed \$631,800 GPR in 1999-00 and \$823,500 GPR in 2000-01 and 17.0 GPR assistant district attorney (ADA) positions annually provided by the Legislature in 1999 Enrolled Assembly Bill 133. In total, Enrolled AB 133 would have provided the following 17.0 additional prosecutor positions: Adams (0.25), Chippewa (0.25), Dane (2.5), Jefferson (0.25), Kenosha (0.5), La Crosse (0.5), Manitowoc (1.0), Marathon (1.0), Milwaukee (5.75), Oneida (0.5), Outagamie (0.5), Portage (0.5), Rock (0.75), Sauk (1.0 position to serve Columbia, Marquette and Sauk Counties), Sheboygan (0.5) and Winnebago (1.25).

2. Subsequently, the Joint Committee on Finance provided, under s. 13.10 action at its May, 2000, meeting, \$239,500 GPR in 2000-01 and 5.0 GPR ADA positions for the following counties: (a) Columbia (0.5); (b) La Crosse (0.3); (c) Marathon (0.5); (d) Marquette (0.2); (e) Oneida (0.5); (f) Rock (0.75); (g) Winnebago (0.75); (h) Manitowoc (0.5); (i) Sheboygan (0.5); (j) Washburn (0.25); and (k) Burnett (0.25).

3. Under the 2001-03 biennial budget agency request, district attorney offices requested a total of 35.45 additional prosecutor positions. The Governor did not provide any caseload-related prosecutor positions in the budget bill. The bill would eliminate 10.5 PR project positions under the standard budget adjustment removal of non-continuing elements from the

base as follows: (a) 6.0 Milwaukee County ADA positions funded by federal high-intensity drug trafficking area (HIDTA) grants that terminate in September, 2002; (b) 3.0 Dane County ADA positions funded by the federal Violence Against Women Act that terminate in January, 2003; (c) 1.0 Dane County ADA position funded by the Wisconsin Department of Transportation and the Federal National Highway Traffic Safety Administration that terminates in January, 2003; and (d) 0.5 Milwaukee County children in need of protection or services (CHIPS) ADA position that terminates in April, 2003. The deletion of these 10.5 project positions would bring the number of prosecutors to 401.65. The analysis in this paper uses 401.65 positions as the position base ("authorized positions").

4. In response to the substantial requests by counties in the past and questions regarding the prosecutorial caseload management, in 1995 the Legislative Audit Bureau (LAB) reviewed the methodology used to measure prosecutorial caseload and recommended changes to improve the methodology. The LAB recommended that once a more accurate case measurement system was developed, a productivity standard be created for DAs to determine the time that a prosecutor has available to prosecute cases (similar to the method used to determine judicial resources).

5. In response to the LAB report, the State Prosecutors Office, in conjunction with the Wisconsin District Attorneys Association (WDAA), reviewed available data and surveyed district attorneys to estimate the average time needed to prosecute different types of cases. (The WDAA is an association of state district attorneys that meets to discuss various issues that affect prosecutors.) The revised prosecutor need analysis assigns the following times to case types:

<u>Type of Case</u>	<u>Average Hours Required</u>
Class A Homicide	100.00
Class B Homicide	100.00
Sexually Violent Person Commitment	100.00
Other Felony	8.49
Misdemeanor	2.17
Delinquency	3.32
Children in Need of Protection or Services	2.61
Criminal Traffic	1.68
Termination of Parental Rights	7.00
Writ of Habeas Corpus	2.00
Inquest	64.00

6. A "time available" standard for prosecutors was also estimated through a district attorney survey. The analysis assumes that, on average, each prosecutor has 1,227 hours per year to prosecute cases. This is based on 2,088 total hours per position less: (a) an average of 300 hours annually for holiday, personal, sick and vacation time; and (b) an average of 561 hours annually for other prosecutorial duties such as administration, John Doe proceedings, post-conviction hearings, training, review of referrals not charged, search warrants, wage claims, public records, probation revocations and community services.

7. This methodology has been used to analyze prosecutorial workload by county. The attachment to this paper indicates the results of this analysis using averaged case filings for 1997-99 (the most recent data available). The attachment shows, by county, the current authorized number of prosecutors, the estimated number of additional positions needed to prosecute the county's averaged 1997-99 caseload, and the resulting workload for each prosecutor. The attachment adjusts a 1.0 Outagamie County PR ADA position to account for the amount of time the Outagamie County drug prosecutor spends prosecuting in Outagamie County (50%), Fond du Lac County (25%), and Winnebago County (25%). The attachment also adjusts a 0.5 Washburn County GPR ADA position to account for the amount of time the prosecutor spends prosecuting in Washburn County (50%) and Burnett County (50%).

8. Based on this analysis, there is a net need for 51.61 prosecutor positions. This includes 49 prosecutorial units with a total need of 62.73 FTE, and 22 prosecutorial units with a combined need of -11.12 FTE (each county is its own prosecutorial unit, except for Shawano and Menominee, which are combined).

9. It should be noted that this analysis makes a number of assumptions which may not apply to all offices. For instance, single DA offices have unique challenges. Larger offices may have more staff to perform administrative and investigative duties, so that DAs in those counties have more time to prosecute cases. Further, there may be different practices among counties which would not be reflected in this type of analysis. However, despite such problems, the analysis takes into account a number of improvements suggested by the LAB and can be used as a general measurement for ADA need.

10. Individual DA offices submitted requests for additional prosecutor positions that were compiled and submitted to the Governor as part of the District Attorneys 2001-03 budget request. The WDAA reviewed these requests and issued its own recommendations as to which DA offices should receive additional prosecutor positions. These recommendations were forwarded in a letter to the Governor and Lieutenant Governor on January 10, 2001. In total, the WDAA supported the addition of 28.10 prosecutors over the biennium. (In addition, the WDAA recommended a 1.0 DNA evidence prosecutor position that is included in the bill as a PR position, supported by revenue from a \$5 crime lab and drug law enforcement assessment and a \$250 DNA surcharge.) The WDAA recommendations are for assistant district attorney positions, except for the requests of two part-time district attorneys (Florence and Pepin) to be increased by 0.2 FTE each.

11. The following table shows, for those counties that requested positions (except the DNA evidence prosecutor): (a) the total number of prosecutors (district attorney and deputy and

assistant district attorneys, if any) currently authorized; (b) the number of additional positions requested by the district attorney office; (c) the WDAA recommendation; and (d) the number of additional prosecutors needed according to the weighted caseload study using 1997-99 averaged caseload data.

<u>County</u>	<u>Authorized Positions</u>	<u>Additional FTEs Requested by Individual DA Offices</u>	<u>Additional FTE's Recommended by WDAA*</u>	<u>FTE Need Based on 1997-99 Caseload Methodology</u>
Adams	1.20	0.30	0.30	0.30
Ashland	1.50	0.50	0.50	0.60
Brown	12.00	3.00	3.50	3.29
Chippewa	3.00	1.00	0.75	1.72
Columbia	3.50	1.50	1.50	1.67
Dane	27.00	8.00	3.50	8.96
Florence***	0.50	0.20	0.20	-0.06
Grant	2.00	0.50	0.50	0.34
Green	2.00	0.50	0.10	0.11
Jefferson	4.80	0.45	0.45	1.58
Juneau	2.00	1.00	0.50	0.24
Kenosha	12.00	3.00	3.00	3.83
La Crosse	7.30	0.70	0.70	3.07
Langlade	1.50	0.50	0.10	0.46
Manitowoc	4.50	1.50	1.50	1.92
Marathon	7.50	2.50	2.50	2.66
Oconto	1.50	0.50	0.50	0.22
Outagamie**	7.50	3.00	3.00	4.36
Ozaukee	3.00	1.00	1.00	0.99
Pepin***	0.60	0.20	0.20	-0.04
Polk	2.00	2.00	0.50	0.51
Portage	4.00	1.00	0.00	-0.13
Rock	14.25	0.25	0.25	3.29
Sauk	4.50	0.50	0.50	1.36
Taylor	1.00	0.30	0.30	0.32
Winnebago**	<u>9.00</u>	<u>2.25</u>	<u>2.25</u>	<u>3.40</u>
TOTAL	139.65	36.15	28.10	44.97

*All positions recommended by WDAA to begin upon enactment of the bill with the following exceptions: Brown, 0.5 FTE on 7/02; Columbia, 1.0 FTE on 1/02; Dane, 0.5 FTE on 7/02; and Juneau, 0.5 FTE on 9/02.

**Reflects that the workload of the drug prosecutor assigned in Outagamie County is divided as follows: 50% in Outagamie County; 25% in Fond du Lac County; and 25% in Winnebago County.

*** Increase by 0.2 FTE the part-time district attorney positions in these counties.

12. The WDAA recommended providing an additional 0.5 ADA position in July, 2002, for Brown County that was not originally requested by the Brown County DA office. According to the State Prosecutors Office, this recommendation was based on the WDAA's view that the prosecutorial workload is continuing to increase for the Brown County DA Office. Likewise, the WDAA recommended positions for Grant (0.5), Juneau (0.5 in September, 2002) and Oconto (0.5)

Counties whose needs are not completely supported by the caseload data (position needs according to the weighted caseload data for these counties are 0.34, 0.24 and 0.22 respectively). The WDAA based its recommendation on the belief that the trendline for workload is up in these counties. In addition, in Grant and Juneau Counties, it was felt that the additional position authority would be needed to attract qualified candidates to accept a part-time position. Finally, the WDAA recommended position increases for the DA positions in Florence and Pepin counties essentially premised on the "philosophy that communities are best served by full-time district attorneys", not based on the caseload data. The cost of the WDAA recommendation would be \$1,010,000 GPR and 26.6 GPR positions in 2001-02 and \$1,437,600 GPR and 28.1 GPR positions in 2002-03.

13. The weighted caseload measurement is based on attorneys working full-time less vacation, sick leave and holidays. This assumes that each prosecutor handles 100% of a caseload. The "current prosecutor workload" column of the attachment shows what percent of a full-time caseload prosecutors currently work, using 100% as the standard full-time workload. According to this analysis, caseloads in a number of counties require prosecutors to handle more cases than they have "time" to handle based on the "time available" analysis. For example, in Outagamie County, each prosecutor, on average, currently handles 158% of the caseload he or she has "time" to handle, based on the LAB methodology and the average number of cases filed in 1997-99. In Marathon County, prosecutors handle 136% of caseload levels and in Forest County, the prosecutor handles 129% of the caseload a full-time position would have "time" to do.

14. Given the limited funding available, the Committee may wish to consider adding fewer positions than what the 100% standard would indicate. The Committee could use this analysis to allocate positions to counties that have the highest caseloads per prosecutor.

15. The table below indicates, for counties which requested positions, the number of additional prosecutors that would be required so that no county requesting positions would average more than 105% of caseload per prosecutor. For this and the remaining alternatives, these numbers were then adjusted so that no county received more positions than requested by the DA Office or recommended by the WDAA. In addition, positions were rounded to the nearest 0.1 FTE except that, because a position must be at least 0.3 FTE in order to qualify for state fringe benefits, positions were rounded so that no DA office would receive less than 0.3 FTE unless so requested by the DA office, or recommended by the WDAA. For counties that requested delayed starting dates for positions or were recommended to have delayed starting dates by the WDAA, the costs are calculated using those delayed starting dates.

16. If additional positions were provided based on 105% of caseload, this would require 24.2 GPR positions and \$903,500 GPR in 2001-02 and 24.8 GPR positions and \$1,252,600 GPR in 2002-03.

<u>County</u>	<u>FTE Need Based on 105%</u>	<u>Additional Positions At 105% of Caseload</u>	<u>County</u>	<u>FTE Need Based on 105%</u>	<u>Additional Positions At 105% of Caseload</u>
Adams	0.23	0.30	Manitowoc	1.61	1.50
Ashland	0.50	0.50	Marathon	2.18	2.20
Brown	2.56	2.60*	Oconto	0.13	0.00
Chippewa	1.50	0.75	Outagamie	3.79	3.00
Columbia	1.42	1.40**	Ozaukee	0.80	0.80
Dane	7.25	3.50***	Polk	0.39	0.40
Grant	0.23	0.30	Rock	2.46	0.25
Green	0.01	0.00	Sauk	1.08	0.50
Jefferson	1.28	0.45	Taylor	0.26	0.30
Juneau	0.13	0.00	Winnebago	2.81	<u>2.25</u>
Kenosha	3.08	3.00			
La Crosse	2.57	0.70	Total		24.80
Langlade	0.37	0.10			

*2.5 positions in 2001-02 and 2.6 positions in 2002-03.

**1.4 positions in 2001-02, of which 0.9 position starts in January, 2002.

***3.0 positions in 2001-02 and 3.5 positions in 2002-03.

17. If additional positions were provided based on 110% of caseload, this would require 21.4 GPR positions and \$800,200 GPR in 2001-02 and 21.9 GPR positions and \$1,106,100 GPR in 2002-03.

<u>County</u>	<u>FTE Need Based on 110%</u>	<u>Additional Positions At 110% of Caseload</u>	<u>County</u>	<u>FTE Need Based on 110%</u>	<u>Additional Positions At 110% of Caseload</u>
Adams	0.17	0.30	Manitowoc	1.34	1.30
Ashland	0.41	0.40	Marathon	1.74	1.70
Brown	1.90	1.90	Oconto	0.06	0.00
Chippewa	1.29	0.75	Outagamie	3.28	3.00
Columbia	1.20	1.20*	Ozaukee	0.62	0.60
Dane	5.69	3.50**	Polk	0.28	0.30
Grant	0.13	0.00	Rock	1.70	0.25
Jefferson	1.00	0.45	Sauk	0.83	0.50
Juneau	0.04	0.00	Taylor	0.20	0.30
Kenosha	2.39	2.40	Winnebago	2.27	<u>2.25</u>
La Crosse	2.12	0.70			
Langlade	0.28	0.10	Total		21.90

*1.2 positions in 2001-02, of which 0.7 position starts in January, 2002.

**3.0 positions in 2001-02 and 3.5 positions in 2002-03.

18. If additional positions were provided based on 115% of caseload, this would require 17.95 GPR positions and \$672,300 GPR in 2001-02 and 18.45 GPR positions and \$931,800 GPR in 2002-03.

<u>County</u>	<u>FTE Need Based on 115%</u>	<u>Additional Positions At 115% of Caseload</u>	<u>County</u>	<u>FTE Need Based on 115%</u>	<u>Additional Positions At 115% of Caseload</u>
Adams	0.11	0.00	Manitowoc	1.08	1.10
Ashland	0.33	0.30	Marathon	1.34	1.30
Brown	1.29	1.30	Outagamie	2.81	2.80
Chippewa	1.11	0.75	Ozaukee	0.47	0.50
Columbia	0.99	1.00*	Polk	0.19	0.30
Dane	4.27	3.50**	Rock	1.00	0.25
Grant	0.04	0.00	Sauk	0.60	0.50
Jefferson	0.75	0.45	Taylor	0.15	0.00
Kenosha	1.77	1.80	Winnebago	1.78	1.80
La Crosse	1.71	0.70			
Langlade	0.21	0.10	Total		18.45

*1.0 position in 2001-02, of which 0.5 position starts in January, 2002.

**3.0 positions in 2001-02 and 3.5 positions in 2002-03.

19. If additional positions were provided based on 120% of caseload, this would require \$546,300 GPR in 2001-02 and \$734,800 GPR in 2002-03 and 14.55 GPR positions annually.

<u>County</u>	<u>FTE Need Based on 120%</u>	<u>Additional Positions At 120% of Caseload</u>	<u>County</u>	<u>FTE Need Based on 120%</u>	<u>Additional Positions At 120% of Caseload</u>
Adams	0.05	0.00	Manitowoc	0.85	0.90
Ashland	0.25	0.30	Marathon	0.97	1.00
Brown	0.74	0.70	Outagamie	2.38	2.40
Chippewa	0.93	0.75	Ozaukee	0.32	0.30
Columbia	0.81	0.80*	Polk	0.09	0.00
Dane	2.97	3.00	Rock	0.37	0.25
Jefferson	0.52	0.45	Sauk	0.38	0.40
Kenosha	1.19	1.20	Taylor	0.10	0.00
La Crosse	1.34	0.70	Winnebago	1.33	1.30
Langlade	0.13	0.10			
			Total		14.55

*0.8 position in 2001-02, of which 0.3 position starts in January, 2002.

20. If additional positions were provided based on 125% of caseload, this would require \$386,200 GPR in 2001-02 and \$517,700 GPR in 2002-03 and 10.25 GPR positions annually.

<u>County</u>	<u>FTE Need Based on 125%</u>	<u>Additional Positions At 125% of Caseload</u>	<u>County</u>	<u>FTE Need Based on 125%</u>	<u>Additional Positions At 125% of Caseload</u>
Ashland	0.18	0.30	Manitowoc	0.64	0.60
Brown	0.23	0.30	Marathon	0.63	0.60
Chippewa	0.78	0.75	Outagamie	1.99	2.00
Columbia	0.63	0.60*	Ozaukee	0.19	0.30
Dane	1.77	1.80	Polk	0.01	0.00
Jefferson	0.31	0.30	Sauk	0.19	0.30
Kenosha	0.67	0.70	Taylor	0.06	0.00
La Crosse	0.99	0.70	Winnebago	0.92	<u>0.90</u>
Langlade	0.07	0.10			
			Total		10.25

*0.6 position in 2001-02, of which 0.1 position starts in January, 2002.

21. If additional positions were provided based on 130% of caseload, this would require 5.6 GPR positions annually at a cost of \$211,700 GPR in 2001-02 and \$282,800 GPR in 2002-03.

<u>County</u>	<u>FTE Need Based on 130%</u>	<u>Additional Positions At 130% of Caseload</u>	<u>County</u>	<u>FTE Need Based on 130%</u>	<u>Additional Positions At 130% of Caseload</u>
Ashland	0.12	0.00	Manitowoc	0.44	0.40
Chippewa	0.63	0.60	Marathon	0.32	0.30
Columbia	0.48	0.50	Outagamie	1.62	1.60
Dane	0.66	0.70	Ozaukee	0.07	0.00
Jefferson	0.11	0.00	Sauk	0.01	0.00
Kenosha	0.18	0.30	Taylor	0.02	0.00
La Crosse	0.67	0.70	Winnebago	0.54	<u>0.50</u>
Langlade	0.01	0.00			
			Total		5.60

22. The above proposals do not take into account counties which, using the revised weighted caseload methodology, show a negative need for positions. Given the large variability in need among counties, as shown in the attachment, it could be argued that the current assignment of resources is not efficient and some reassignment should occur to allow for a more equitable distribution of existing prosecution resources statewide. If counties that show a negative need in the attachment (using 1997-99 caseload data) are rounded down to the nearest 0.5 position, a total of 7.0 ADA positions could be deleted.

23. Alternatively, the Committee could consider requiring DOA to transfer position authority from a county which has a negative need for positions to a county with a positive need for positions, if: (a) a vacancy in an ADA position occurs in a county that has a negative need; (b) following the transfer, the county losing the position does not indicate a need for positions based on the weighted caseload measurement; (c) the recipient county requested additional resources for

2001-03; and (d) the position transfer is approved through passive review by the Joint Committee on Finance.

24. It should be noted that the uniform crime reports published by the Office of Justice Assistance indicate a reduction in the number of violent crimes in Wisconsin (including murder, forcible rape, robbery, and aggravated assault) from 1997 to 1998 (the last year for which data is available). Overall, violent crime decreased by 6.7% from 1997 to 1998 (from a total of 13,992 offenses in 1997 to 13,060 in 1998).

ALTERNATIVES TO BASE

A. Additional Prosecutor Positions

1. Provide \$1,010,000 and 26.6 positions in 2001-02 and \$1,437,600 and 28.1 positions in 2002-03 as recommended by the WDAA. Under this alternative, the following counties would receive positions: Adams (0.3), Ashland (0.5), Brown (3.5), Chippewa (0.75), Columbia (1.5), Dane (3.5), Florence (0.2), Grant (0.5), Green (0.1), Jefferson (0.45), Juneau (0.50), Kenosha (3.0), La Crosse (0.7), Langlade (0.1), Manitowoc (1.5), Marathon (2.5), Oconto (0.5), Outagamie (3.0), Ozaukee (1.0), Pepin (0.2), Polk (0.5), Rock (0.25), Sauk (0.5), Taylor (0.3), and Winnebago (2.25). All positions would be provided annually, with the exception of Brown and Dane Counties, which would each receive 3.0 positions in 2001-02 and 3.5 positions in 2002-03, and Juneau County, which would receive 0.5 position in 2002-03. For Florence and Pepin counties, this would increase the position authority for the part-time district attorneys in these counties by 0.2 FTE each, from 0.5 FTE to 0.7 FTE in Florence County and from 0.6 FTE to 0.8 FTE in Pepin County.

Alternative A1	GPR
2001-03 FUNDING (Change to Base)	\$2,447,600
[Change to Bill]	\$2,447,600]
2002-03 POSITIONS (Change to Base)	28.10
[Change to Bill]	28.10]

2. Provide \$903,500 and 24.2 positions in 2001-02 and \$1,252,600 and 24.8 positions in 2002-03. Under this alternative, the following counties would receive ADA positions: Adams (0.3), Ashland (0.5), Brown (2.6), Chippewa (0.75), Columbia (1.4), Dane (3.5), Grant (0.3), Jefferson (0.45), Kenosha (3.0), La Crosse (0.7), Langlade (0.1), Manitowoc (1.5), Marathon (2.2), Outagamie (3.0), Ozaukee (0.8), Polk (0.4), Rock (0.25), Sauk (0.5), Taylor (0.3), and Winnebago (2.25). All positions would be provided annually, with the exception of Brown County, which would receive 2.5 positions in 2001-02 and 2.6 positions in 2002-03, and Dane County, which would receive 3.0 positions in 2001-02 and 3.5 positions in 2002-03. For those counties requesting positions approved by the WDAA, this alternative provides positions for those counties at or above 105% of caseload.

Alternative A2	GPR
2001-03 FUNDING (Change to Base)	\$2,156,100
<i>[Change to Bill]</i>	<i>\$2,156,100]</i>
2002-03 POSITIONS (Change to Base)	24.80
<i>[Change to Bill]</i>	<i>24.80]</i>

3. Provide \$800,200 and 21.4 positions in 2001-02 and \$1,106,100 and 21.9 positions in 2002-03. Under this alternative, the following counties would receive positions: Adams (0.3), Ashland (0.4), Brown (1.9), Chippewa (0.75), Columbia (1.2), Dane (3.5), Jefferson (0.45), Kenosha (2.4), La Crosse (0.7), Langlade (0.1), Manitowoc (1.3), Marathon (1.7), Outagamie (3.0), Ozaukee (0.6), Polk (0.3), Rock (0.25), Sauk (0.5), Taylor (0.3), and Winnebago (2.25). All positions would be provided annually, with the exception of Dane County, which would receive 3.0 positions in 2001-02 and 3.5 positions in 2002-03. For those counties requesting positions approved by the WDAA, this alternative provides positions for those counties at or above 110% of caseload.

Alternative A3	GPR
2001-03 FUNDING (Change to Base)	\$1,906,300
<i>[Change to Bill]</i>	<i>\$1,906,300]</i>
2002-03 POSITIONS (Change to Base)	21.90
<i>[Change to Bill]</i>	<i>21.90]</i>

4. Provide \$672,300 and 17.95 positions in 2001-02 and \$931,800 and 18.45 positions in 2002-03. Under this alternative, the following counties would receive positions: Ashland (0.3), Brown (1.3), Chippewa (0.75), Columbia (1.0), Dane (3.5), Jefferson (0.45), Kenosha (1.8), La Crosse (0.7), Langlade (0.1), Manitowoc (1.1), Marathon (1.3), Outagamie (2.8), Ozaukee (0.5), Polk (0.3), Rock (0.25), Sauk (0.5), and Winnebago (1.8). All positions would be provided annually, with the exception of Dane County, which would receive 3.0 positions in 2001-02 and 3.5 positions in 2002-03. For those counties requesting positions approved by the WDAA, this alternative provides positions for those counties at or above 115% of caseload.

Alternative A4	GPR
2001-03 FUNDING (Change to Base)	\$1,604,100
<i>[Change to Bill]</i>	<i>\$1,604,100]</i>
2002-03 POSITIONS (Change to Base)	18.45
<i>[Change to Bill]</i>	<i>18.45]</i>

5. Provide \$546,300 in 2001-02 and \$734,800 in 2002-03 and 14.55 positions annually. Under this alternative, the following counties would receive positions: Ashland (0.3), Brown (0.7), Chippewa (0.75), Columbia (0.8), Dane (3.0), Jefferson (0.45), Kenosha (1.2), La Crosse (0.7), Langlade (0.1), Manitowoc (0.9), Marathon (1.0), Outagamie (2.4), Ozaukee (0.3),

Rock (0.25), Sauk (0.4), and Winnebago (1.3). For those counties requesting positions approved by the WDAA, this alternative provides positions for those counties at or above 120% of caseload.

Alternative A5	GPR
2001-03 FUNDING (Change to Base)	\$1,281,100
[Change to Bill]	\$1,281,100]
2002-03 POSITIONS (Change to Base)	14.55
[Change to Bill]	14.55]

6. Provide \$386,200 in 2001-02 and \$517,700 in 2002-03 and 10.25 positions annually. Under this alternative, the following counties would receive positions: Ashland (0.3), Brown (0.3), Chippewa (0.75), Columbia (0.6), Dane (1.8), Jefferson (0.3), Kenosha (0.7), La Crosse (0.7), Langlade (0.1), Manitowoc (0.6), Marathon (0.6), Outagamie (2.0), Ozaukee (0.3), Sauk (0.3), and Winnebago (0.9). For those counties requesting positions approved by the WDAA, this alternative provides positions for those counties at or above 125% of caseload.

Alternative A6	GPR
2001-03 FUNDING (Change to Base)	\$903,900
[Change to Bill]	\$903,900]
2002-03 POSITIONS (Change to Base)	10.25
[Change to Bill]	10.25]

7. Provide \$211,700 in 2001-02 and \$282,800 in 2002-03 and 5.6 positions annually. Under this alternative, the following counties would receive positions: Chippewa (0.6), Columbia (0.5), Dane (0.7), Kenosha (0.3), La Crosse (0.7), Manitowoc (0.4), Marathon (0.3), Outagamie (1.6), and Winnebago (0.5). For those counties requesting positions approved by the WDAA, this alternative provides positions for those counties at or above 130% of caseload.

Alternative A7	GPR
2001-03 FUNDING (Change to Base)	\$494,500
[Change to Bill]	\$494,500]
2002-03 POSITIONS (Change to Base)	5.60
[Change to Bill]	5.60]

8. Maintain current law.

B. Redistribution of Assistant District Attorney Positions

1. Delete \$264,600 in 2001-02 and \$353,500 in 2002-03 and 7.0 ADA positions, effective October 1, 2001, to delete ADA positions, rounded down to the nearest 0.5 position, for counties which show a negative need for ADA positions using 1997-99 averaged caseload data. Under this alternative, the following counties would lose positions: Pierce (-1.5), Richland (-0.5), St. Croix (-2.0), Vernon (-1.0), Vilas (-0.5) and Waukesha (-1.5).

<u>Alternative B1</u>	<u>GPR</u>
2001-03 FUNDING (Change to Base)	- \$618,100
[Change to Bill]	- \$618,100]
2002-03 POSITIONS (Change to Base)	- 7.00
[Change to Bill]	- 7.00]

2. Require DOA to transfer position authority from a county which has a negative need for positions to a county with a positive need for positions, if: (a) a vacancy in an ADA position occurs in a county that has a negative need; (b) following the transfer, the county losing the position does not reflect a need for positions based on the weighted caseload measurement; (c) the recipient county requested additional resources for 2001-03; and (d) the position transfer is approved through passive review by the Joint Committee on Finance.

3. Maintain current law.

Prepared by: Paul Onsager
Attachment

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	
WELCH	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 _____ NO _____ ABS _____

ATTACHMENT

Prosecutor Weighted Caseload Using 1997-99 Average Cases Filed

County	Authorized Positions*	Additional Positions Needed at 100%	Current Prosecutor Workload	County	Authorized Positions*	Additional Positions Needed at 100%	Current Prosecutor Workload
Outagamie**	7.50	4.36	158%	Dodge	4.00	0.58	115%
Chippewa	3.00	1.72	157	Oconto	1.50	0.22	114
Columbia	3.50	1.67	148	Clark	2.00	0.27	113
Manitowoc	4.50	1.92	143	Juneau	2.00	0.24	112
La Crosse	7.30	3.07	142	Price	1.00	0.09	109
Ashland	1.50	0.60	140	Bayfield	1.00	0.09	109
Eau Claire	8.00	3.04	138	Racine	19.00	1.63	109
Sheboygan	7.50	2.84	138	Trempealeau	1.60	0.12	108
Winnebago**	9.00	3.40	138	Marinette	2.50	0.18	107
Marathon	7.50	2.66	136	Green	2.00	0.11	106
Burnett***	1.25	0.44	135	Door	2.00	0.08	104
Dane	27.00	8.96	133	Waushara	1.50	0.03	102
Jefferson	4.80	1.58	133	Walworth	5.00	0.05	101
Ozaukee	3.00	0.99	133	Milwaukee	113.50	0.36	100
Taylor	1.00	0.32	132	Waupaca	4.00	-0.12	97
Kenosha	12.00	3.83	132	Portage	4.00	-0.13	97
Langlade	1.50	0.46	131	Barron	3.00	-0.20	93
Lincoln	2.00	0.61	130	Green Lake	1.50	-0.10	93
Sauk	4.50	1.36	130	Pepin	0.60	-0.04	93
Forest	1.00	0.29	129	Calumet	2.00	-0.17	91
Monroe	3.00	0.84	128	Dunn	3.50	-0.31	91
Brown	12.00	3.29	127	Waukesha	18.50	-1.65	91
Oneida	2.50	0.67	127	Florence	0.50	-0.06	89
Polk	2.00	0.51	126	Crawford	1.00	-0.14	86
Shawano/Menominee	3.00	0.76	125	Rusk	1.50	-0.22	85
Adams	1.20	0.30	125	Iowa	1.75	-0.32	81
Sawyer	2.00	0.50	125	Buffalo	1.00	-0.19	81
Fond du Lac**	5.25	1.22	123	Jackson	2.00	-0.39	80
Rock	14.25	3.29	123	Iron	1.00	-0.22	78
Washington	5.00	1.14	123	Kewaunee	1.50	-0.35	77
Wood	4.00	0.74	119	Lafayette	1.00	-0.30	70
Grant	2.00	0.34	117	Richland	1.80	-0.58	68
Douglas	3.50	0.56	116	Vilas	2.00	-0.64	68
Marquette	1.20	0.19	116	Saint Croix	6.00	-2.23	63
Washburn***	1.25	0.19	116	Pierce	3.00	-1.51	50
				Vernon	2.40	-1.23	49
				Total	401.65	51.61	113%

*Reflects the adjusted base, minus 10.5 PR project positions deleted under the bill in 2002-03.

**Reflects that the workload of the drug prosecutor assigned in Outagamie County is divided as follows: 50% in Outagamie County; 25% in Fond du Lac County; and 25% in Winnebago County.

***Reflects that the workload of the 0.5 GPR prosecutor assigned in Washburn County is divided as follows: 50% in Washburn County and 50% in Burnett County.

DISTRICT ATTORNEYS

LFB Summary Items for Which No Issue Paper Has Been Prepared

<u>Item #</u>	<u>Title</u>
1	Standard Budget Adjustments
3	DNA Evidence Prosecutor
4	Operation Ceasefire

LFB Summary Item to be Addressed in a Subsequent Paper

<u>Item #</u>	<u>Title</u>
5	Continued Funding for Anti-drug Prosecutors in Dane and Milwaukee Counties

<u>MO#</u>			
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
WELCH	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 ____ NO ____ ABS ____