

Court of Appeals

There are no provisions in Special Session Assembly Bill 1 regarding this agency.

Circuit Courts

(LFB Summary of the Governor's Budget Reform Bill: Page 26)

LFB Summary Item for Which an Issue Paper Has Been Prepared

<u>Item #</u>	<u>Title</u>
1	Court Support Services Fee Increase (Paper #1130)



Legislative Fiscal Bureau

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

February 28, 2002

Joint Committee on Finance

Paper #1130

Court Support Services Fee Increase (Circuit Courts)

[LFB Summary of the Governor's Budget Reform Bill: Page 26, #1]

*Grand Alt 1
plus Alt 2*

CURRENT LAW

Under current law, a filing fee is charged for initiating large and small claims actions and other actions in circuit court, and for various counterclaims, cross-complaints, third-party complaints and appeals in cases that have already been filed, ranging from \$10 (for commencing a wage earner action) to \$75 (for commencing most civil actions). For most civil filings, two additional fees are assessed: (a) a \$9 justice information fee; and (b) a court support services fee. For commencement of family actions, a \$20 family court counseling fee is also assessed (if the action includes a request for support or maintenance, an additional \$10 support or maintenance petition fee is assessed).

The court support services fee ranges from: (a) \$40 for certain civil actions and special proceedings, third-party complaints, appeals from municipal court, reviews of administrative decisions or forfeiture actions in circuit court (forfeiture judgments and most civil actions); (b) \$100 for certain civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions, if the party paying the fee seeks the recovery of money and the amount claimed exceeds \$5,000 (large claims actions); and (c) \$30 for certain small claims actions (including counterclaims or cross complaints), civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions, if the party paying the fee seeks the recovery of money and the amount claimed is \$5,000 or less (small claims actions). In 2000-01, the court support services fee generated \$26,993,600 in revenue, which is deposited to the general fund as GPR-Earned.

GOVERNOR

Increase the court support services fee by 30% as follows: (a) increase to \$52 the \$40 fee for certain civil actions and special proceedings, third-party complaints, appeals from municipal court, reviews of administrative decisions or forfeiture actions; (b) increase to \$130 the \$100 fee for certain large claim civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions; and (c) increase to \$39 the \$30 fee for certain small claims actions, civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions. Provide that the fee increase would first apply to actions commenced on July 1, 2002.

DISCUSSION POINTS

1. The court support services fee was established in the 1993-95 biennial budget as a \$20 fee on all forfeiture judgments and most civil court filings. In the 1995-97 biennial budget, the fee was increased to its current levels (\$30 for filing small claims actions, \$100 for filing large claim actions and \$40 for other civil court filings and forfeiture judgments). For 2001-02 and 2002-03, the circuit court support fee is estimated to generate \$27 million annually in general fund revenue.

2. In conjunction with the creation of the court support services fee, three programs were established to provide state funding to counties for certain court costs paid by counties: (a) circuit court support grants, which partially reimburse counties for county court costs excluding security, rent, utilities, maintenance, remodeling or construction; (b) guardian ad litem services reimbursements; and (c) public defender transcript fee payments (the State Public Defender [SPD] pays counties for the costs of transcripts requested by public defenders and state-appointed private bar attorneys). These three programs are appropriated a total of approximately \$24.7 million GPR annually.

3. In 2001 Act 16, the 2001-03 biennial budget act, the SPD GPR appropriations were annually reduced, in total, by 5% of the SPD's GPR adjusted base for state operations; and the Circuit Courts, Court of Appeals and Supreme Court's GPR appropriations were annually reduced, in total, by 4% of their respective GPR adjusted bases for state operations. Under the bill: (a) the SPD's program administration appropriation would be reduced by an additional 3.5% in 2001-02 and 5% in 2002-03; and (b) the Supreme Court's two sum certain state operations appropriations, the Director of State Courts general program operations and the law library general program operations appropriations, would also be reduced by an additional 3.5% in 2001-02 and 5% in 2002-03. Other SPD appropriations and the Circuit Court, Court of Appeals and Supreme Court appropriations for court operations would not be reduced under the bill. The Governor's budget reform bill summary indicates that the Governor recommends increasing the court support services fee in lieu of making additional reductions for direct court functions and SPD services.

4. The court support services fee was originally created as a funding mechanism to provide state support for county court-related costs. From 1993-94 through 1995-96, state

reimbursements to counties under the three programs were higher than the general fund revenue generated from the court support services fee. Since 1996-97, however, the fee has generated revenues above the amounts reimbursed to counties, and revenue from the fee during the 2001-03 biennium is estimated under current law to exceed reimbursements by approximately \$2.3 million annually. The Governor's proposal to increase the court support services fee by 30% could be seen as an expansion of a funding mechanism to partially fund state GPR court costs.

5. Some might argue that access to the courts is a basic right and that a 30% increase in the court support services fee could limit citizen access to the courtroom. Under current law, a person filing a large claim action pays \$184 to commence the action as follows: (a) a \$75 filing fee; (b) a \$100 court support services fee; and (c) a \$9 justice information fee. A person filing a small claim action pays \$61: (a) a \$22 filing fee; (b) a \$30 court support services fee; and (c) a \$9 justice information fee. A person filing a family court action with a request for support or maintenance pays \$154: (a) a \$75 filing fee; (b) a \$40 court support services fee; (c) a \$9 justice information fee; (d) a \$20 family court counseling fee; and (e) a \$10 support or maintenance petition fee. Under the Governor's recommendation, the total fees associated with filing large claims, small claims and family actions with a request for support or maintenance would increase to \$214, \$70 and \$166, respectively.

6. On the other hand, it could be argued that the fee has not been raised since 1995 and the fee increase would protect the administration of justice, by sparing basic court operations and SPD services for indigent defendants from further reductions.

7. The Governor's budget reform bill summary projects \$8 million in general fund revenue in 2002-03 from the fee increase. Based upon updated projections, it is estimated that a 30% court support services fee increase would generate \$8,100,000 in general fund revenue in 2002-03. A 15% court support services fee increase would generate an estimated \$4,050,000 in general fund revenue in 2002-03.

ALTERNATIVES TO BILL

1. Approve the Governor's recommendation to increase the court support services fee by 30%, to apply to actions commenced on July 1, 2002, as follows: (a) increase to \$52 the \$40 fee for certain civil actions and special proceedings, third-party complaints, appeals from municipal court, reviews of administrative decisions or forfeiture actions in circuit court; (b) increase to \$130 the \$100 fee for certain civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions, if the party paying the fee seeks the recovery of money and the amount claimed exceeds \$5,000; and (c) increase to \$39 the \$30 fee for certain small claims actions (including counterclaims or cross complaints), civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions, if the party paying the fee seeks the recovery of money and the amount claimed is \$5,000 or less. In addition, reestimate the amount of GPR-Earned to be deposited to the general fund associated with the fee increases by an additional \$100,000 in 2002-03.

Alternative 1	GPR
2001-03 REVENUE	\$100,000

2. Modify the Governor's recommendation by increasing the court support services fee by 15% as follows: (a) increase to \$46 the \$40 fee for certain civil actions and special proceedings, third-party complaints, appeals from municipal court, reviews of administrative decisions or forfeiture actions; (b) increase to \$115 the \$100 fee for certain large claim civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions; and (c) increase to \$34.50 the \$30 fee for certain small claims actions, civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions.

Alternative 2	GPR
2001-03 REVENUE	- \$3,950,000

3. Maintain current law.

Alternative 3	GPR
2001-03 REVENUE	- \$8,000,000

Prepared by: Paul Onsager

MO# 2

① BURKE	Y	N	A
② 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 8 NO 8 ABS _____

Supreme Court

(LFB Summary of the Governor's Budget Reform Bill: Page 83)

LFB Summary Item for Which an Issue Paper Has Been Prepared

<u>Item #</u>	<u>Title</u>
1	3.5% and 5.0% Budget Reductions (see Paper #1120)

possible motion here?

Judicial Commission

There are no provisions in Special Session Assembly Bill 1 regarding this agency.

Ethics Board

(LFB Summary of the Governor's Budget Reform Bill: Page 45)

LFB Summary Item for Which an Issue Paper Has Been Prepared

<u>Item #</u>	<u>Title</u>
1	3.5% and 5.0% Budget Reductions (see Paper #1120)

Elections Board

(LFB Summary of the Governor's Budget Reform Bill: Page 38)

LFB Summary Item for Which an Issue Paper Has Been Prepared

<u>Item #</u>	<u>Title</u>
1	3.5% and 5.0% Budget Reductions (see Paper #1120)

ELECTIONS BOARD

Chief Inspector Certification and Training

Motion:

Move to: (a) delay the implementation of the statutory provisions regarding the training and certification of chief inspectors provided for in Act 16, from September 1, 2002, to September 1, 2004; and (b) transfer \$38,400 GPR in 2001-02 from the Elections Board's training of chief inspector's appropriation to the Board's general program operations appropriation.

Note:

Under 2001 Act 16, a chief inspector training and certification program was created which requires that all polling places have a certified chief inspector for all elections as of September 1, 2002. Act 16 provided \$45,000 GPR in 2001-02 for the training of chief inspectors in a newly created biennial training of chief inspectors appropriation.

Under the new program, the Elections Board is required to: (a) prescribe, by rule, requirements for certification of individuals to serve as chief inspectors; (b) upon application, to issue certificates with expiration dates to qualified individuals who meet the requirements to be certified as chief inspectors; (c) require each individual issued a chief inspector certificate to meet requirements to maintain that certification; (d) renew the certificate of any individual who requests renewal and meets the requirements established by the Board; (e) conduct regular training and administer examinations to ensure that individuals who are certified by the Board as chief inspectors are knowledgeable concerning their authority and responsibilities; and (f) pay all costs required to conduct the chief inspector training and to administer the examinations. Under current law, no person may serve as chief inspector at any election who is not certified by the Board at the time of any election held on or after September 1, 2002. The motion would delay the implementation of the statutory provisions regarding the training and certification of chief inspectors until September 1, 2004, and would transfer \$38,400 GPR in 2001-02 from the Board's chief inspector appropriation to its general program operations appropriation.

MO# 233

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

Justice

(LFB Summary of the Governor's Budget Reform Bill: Page 60)

LFB Summary Items for Which Issue Papers Have Been Prepared

<u>Item #</u>	<u>Title</u>
1 1(part)	3.5% and 5.0% Budget Reductions (see Paper #1120) Reduction of Racing-Related GPR Funding (see Paper #1103)

LFB Summary Item for Which No Issue Paper Has Been Prepared

<u>Item #</u>	<u>Title</u>
2	Law Enforcement Training on Terrorism

District Attorneys

There are no provisions in Special Session Assembly Bill 1 regarding this agency.

Corrections

(LFB Summary of the Governor's Budget Reform Bill: Page 30)

LFB Summary Items for Which an Issue Paper Has Been Prepared

<u>Item #</u>	<u>Title</u>
1	Budget Reductions (see Paper #1120)
2	Delayed Correctional Facility Openings (Paper #1140)
9	Community Corrections Purchase of Services Funding (Paper #1141)
10	Pharmacological Treatment of Child Sex Offenders (Paper #1142)

LFB Summary Items for Which No Issue Paper Has Been Prepared

<u>Item #</u>	<u>Title</u>
3	Position Reductions
4	Emergency Rules Regarding Fees From Persons on Probation, Parole or Extended Supervision
5	Prison Contract Bed Funding
6	Fuel and Utilities Lapse Estimate
7	Room and Board Fee Increase
8	Probation and Parole Hold Reimbursements
11	Emergency Rules Regarding Prison Copayments for Medical and Dental Care
12	Eliminate the Inmate Secure Work Program
13	Visitors Bus

CORRECTIONS

Opening of the New Lisbon Correctional Institution and
Program Revenue Lapse Related to Information Technology

[LFB Paper #1140]

Motion:

Move to require the Department of Corrections to lapse \$2,267,800 PR in 2001-02 from the inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)), to the general fund. Convert the program revenue appropriation from a continuing appropriation to an annual appropriation. Provide \$2,267,800 GPR and 276.10 GPR positions in 2002-03 and direct the Department of Corrections to open the New Lisbon Correctional Institution in 2002-03 to the extent possible.

Note:

In a February 8, 2002, limited-scope fiscal review conducted by the Legislative Audit Bureau, "a total of \$2.2 million in questionable accounting transactions" occurred in the Department of Corrections' inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)). According to the review: "The questionable transactions include \$1.7 million in general purpose revenue funding that the Department transferred to a continuing program revenue appropriation under its control at the end of fiscal year 2000-01, and the accumulation of an excess balance of \$.5 million in another account in the same continuing appropriation. Instead of returning these funds to the General Fund for appropriation by the Legislature, the Department has designated them, or has already spent them, for various information technology projects and other items."

Under Act 16, the 2001-03 biennial budget act, the New Lisbon Correctional Institution is scheduled to open in June, 2003. The bill would delete \$6,324,300 GPR and 276.10 GPR positions in 2002-03 to delay the opening of the institution to July, 2004. The motion directs Corrections to lapse \$2,267,800 PR in 2001-02 from the inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)), to the general fund and converts the appropriation from a continuing to an annual appropriation. Further, the motion utilizes this funding and directs Corrections to open the New Lisbon Correctional Institution in 2002-03 to the extent possible. The motion also provides 276.10 GPR positions in 2002-03 to staff the facility.

[Change to Bill: \$2,267,800 GPR and 276.10 GPR positions, \$2,267,800 PR Lapse and \$2,267,800 GPR-REV]

MO# 274

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
(2) GARD	Y	(N)	A
KAUFERT	Y	(N)	A
(1) 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 1 NO 15 ABS

CORRECTIONS

Program Revenue Lapse Related to Information Technology
And the New Lisbon Correctional Institution

[LFB Paper #1140]

Motion:

Move to require the Department of Corrections to lapse \$718,500 PR in 2001-02 from the inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)), to the general fund. In addition, convert the appropriation from a continuing appropriation to an annual appropriation. Provide \$718,500 GPR in 2002-03 and direct the Department of Corrections to use the increased funding as follows: (a) for payments to the City of New Lisbon for infrastructure costs associated with the New Lisbon Correctional Institution; and (b) for equipment purchases at the New Lisbon Correctional Institution.

Note:

In a February 8, 2002, limited-scope fiscal review conducted by the Legislative Audit Bureau, "a total of \$2.2 million in questionable accounting transactions" occurred in the Department of Corrections' inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)). According to the review: "The questionable transactions include \$1.7 million in general purpose revenue funding that the Department transferred to a continuing program revenue appropriation under its control at the end of fiscal year 2000-01, and the accumulation of an excess balance of \$.5 million in another account in the same continuing appropriation. Instead of returning these funds to the General Fund for appropriation by the Legislature, the Department has designated them, or has already spent them, for various information technology projects and other items." Of the total, the Audit Bureau indicates that \$718,500 is currently unallocated to specific projects.

The motion directs Corrections to lapse \$718,500 PR in 2001-02 in unallocated funds from the inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)), to the general fund. In addition, the motion converts the appropriation from a continuing to an annual appropriation. The motion also provides \$718,500 GPR in 2002-03 to Corrections for: (a) payments to the City of New Lisbon for infrastructure costs; and (b) equipment costs at the facility.

[Change to Bill: \$718,500 GPR, \$718,500 PR Lapse and \$718,500 GPR-REV]

MO# 287

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

(2) GARD	Y	(N)	A
KAUFERT	Y	(N)	A
(1) 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 4 NO 12 ABS

CORRECTIONS

Program Revenue Lapse Related to Information Technology
and Infrastructure Costs at the New Lisbon Correctional Institution

[LFB Paper #1140]

Motion:

Move to require the Department of Corrections to lapse \$125,000 PR in 2001-02 from the inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)), to the general fund. Provide \$125,000 GPR in 2002-03 and direct the Department of Corrections to use up to \$125,000 GPR for payments to the City of New Lisbon for the City's costs of infrastructure improvements at the New Lisbon Correctional Institution until the facility is opened.

Note:

In a February 8, 2002, limited-scope fiscal review conducted by the Legislative Audit Bureau, "a total of \$2.2 million in questionable accounting transactions" occurred in the Department of Corrections' inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)). According to the review: "The questionable transactions include \$1.7 million in general purpose revenue funding that the Department transferred to a continuing program revenue appropriation under its control at the end of fiscal year 2000-01, and the accumulation of an excess balance of \$.5 million in another account in the same continuing appropriation. Instead of returning these funds to the General Fund for appropriation by the Legislature, the Department has designated them, or has already spent them, for various information technology projects and other items."

The motion directs Corrections to lapse \$125,000 PR in 2001-02 from the inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)), to the general fund. The motion also provides \$125,000 GPR in 2002-03 and directs Corrections to use up to that amount to make infrastructure payments to the City of New Lisbon.

[Change to Bill: \$125,000 GPR, \$125,000 PR Lapse and \$125,000 GPR-REV]

MO# 288

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

(2) GARD	Y	(N)	A
KAUFERT	Y	(N)	A
ALBERS	(Y)	(N)	A
DUFF	Y	(N)	A
(1) WARD	(Y)	(N)	A
HUEBSCH	Y	(N)	A
HUBER	Y	(N)	A
COGGS	Y	(N)	A

AYE 2 NO 14 ABS

CORRECTIONS

Program Revenue Lapse Related to Information Technology

Motion:

Move to require the Department of Corrections to lapse \$2,267,800 PR in 2001-02 from the inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)), to the general fund.

Specify that the Department of Corrections do the following:

- a. Require that all Bureau of Technology Management purchases be approved by both Bureau of Technology Management and purchasing staff, and that the Bureau of Finance and Administrative Services staff compare invoices to purchase orders before processing payments;
- b. Track the number of software licenses it needs and that it order software licenses in a timely manner in accordance with software contracts and licensing agreements; and
- c. Follow its risk-management policies and maintain records of equipment with a cost between \$1,000 and \$5,000.

Note:

In a February 8, 2002, limited-scope fiscal review conducted by the Legislative Audit Bureau, "a total of \$2.2 million in questionable accounting transactions" occurred in the Department of Corrections' inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)). According to the review: "The questionable transactions include \$1.7 million in general purpose revenue funding that the Department transferred to a continuing program revenue appropriation under its control at the end of fiscal year 2000-01, and the accumulation of an excess balance of \$.5 million in another account in the same continuing appropriation. Instead of returning these funds to the General Fund for appropriation by the Legislature, the Department has designated them, or has already spent them, for various information technology projects and other items."

The motion directs Corrections to lapse \$2,267,800 PR in 2001-02 from the inter-agency and intra-agency programs appropriation (s. 20.410(1)(kx)), to the general fund. In addition, the motion would implement other recommendations of the LAB.

[Change to Bill: \$2,267,800 PR Lapse and \$2,267,800 GPR-REV]

MO# 170

② BURKE	Y	N	A
DECKER	Y	N	A
① 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 8 NO 8 ABS _____

CORRECTIONS

Delayed Correctional Facilities Opening--
Stanley Correctional Institution

[LFB Paper #1140]

Motion:

Move to transfer \$3,296,200 GPR in 2001-02 from the Department of Corrections related to the Stanley Correctional Institution to the Joint Committee on Finance's supplemental appropriation.

Note:

The bill allows Corrections to retain \$3,296,200 GPR in 2001-02 related to the delayed opening of the Stanley Correctional Institution from July, 2002, to September, 2002, to offset possible cost shortfalls in the Department. The motion places this funding in the Finance Committee's supplemental appropriation for future release.

MO# 244

2	BURKE	Y	N	A
	DECKER	Y	N	A
1	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

CORRECTIONS

Supermax Correctional Institution Conversion Study

Motion:

Move to direct the Department of Corrections and the Department of Administration to conduct a study for inclusion in the 2003-05 capital budget for the conversion of the Supermax Correctional Institution from a supermax level-security institution to an institution with supermax security-level beds and maximum-security beds. Direct that the study include operational costs for the redesigned facility.

MO# 303

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

AYE 15 NO 1 ABS _____

Mcginnis, Cindy

From: Lynn Megonigle [lmegonigle@wseu-24.org]

nt: Tuesday, February 26, 2002 3:11 PM

To: 'Sen.Burke@legis.state.wi.us'

Subject: Supervision Fees

TO: Cindy Maginnis, Senator Burke's Office

FROM: Martin Beil, Executive Director and Tom Corcoran, President, Local 2748
Wisconsin State Employees Union

RE: Supervision Fees

DATE: February 28, 2002

*Burke
motion*

During FY 2000-2001, probation and parole agents collected \$5.8 million in supervision fees from offenders. The goal of the Division of Community Corrections Administration is to boost collections to \$11 million annually.

Presumably, the Governor's proposal to double the supervision fee for each offender would result in even greater numbers of dollars collected.

The Wisconsin State Employees Union and Local 2748 proposes dedicating 25% of supervision fees collected to offset the cost of increasing probation and parole agent pay. Currently the monies are used to purchase supplies and services.

DCC Administration has made it clear that the responsibility for a higher collection level will fall upon the agent workforce. (Agent loads are already high, with 60 new positions being cut in the Governor's budget.) Probation and parole agents originally proposed the offender supervision fee dedication during the course of the 1995 contract negotiations as a means of funding agent pay increases. The state and DOC adopted the union's idea, but dedicated the money elsewhere.

Senator Burke has advised us to forward this to you to prepare an amendment for introduction at Joint Finance. Thank you for your efforts.

CC: Tanya Bjork, Senator Burke's Office

AGENCY: Delayed Correctional Facility Openings (DOC)

Paper #: 1140

ISSUE: Delaying the opening of Stanley, New Lisbon, Highview Geriatric, Inmate Workhouses, Sturdevant Probation and Parole Facility and Oshkosh Seg. Facility

ALTERNATIVE: Approve Gov's recs. with Stanley modification: A2, B1, C1, D1, E1, F1

SUMMARY:

Delay is good. The delays were in the Senate Dems budget last year. Take Plache's lead on Sturdevant.

BY: Tanya

6 when 212 in lieu of Stanley notion in this paper



Legislative Fiscal Bureau

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

February 28, 2002

Joint Committee on Finance

Paper #1140

Delayed Correctional Facility Openings (Corrections)

[LFB Summary of the Governor's Budget Reform Bill: Page 30, #2]

CURRENT LAW

Under 2001 Act 16, new correctional institutions had the following opening dates: (a) Stanley Correctional Institution, July, 2002; (b) New Lisbon Correctional Institution, June, 2003; (c) Highview Geriatric Correctional Facility, June, 2003; (d) Winnebago inmate workhouse, May 2002; (e) Sturtevant inmate workhouse and probation and parole hold facility, January, 2003; and (f) Oshkosh Correctional Institution segregation unit, June, 2003.

GOVERNOR

Delay the opening dates of the correctional facilities as follows: (a) Stanley Correctional Institution, September, 2002; (b) New Lisbon Correctional Institution, July, 2004; (c) Highview Geriatric Correctional Facility, July, 2004; (d) Winnebago inmate workhouse, May, 2004; (e) Sturtevant inmate workhouse and probation and parole hold facility, May, 2004; and (f) Oshkosh Correctional Institution segregation unit, July, 2004. Delete \$937,300 GPR and 25.0 GPR positions in 2001-02 and \$12,066,700 GPR and 596.53 GPR positions and \$122,500 PR and 3.8 PR positions in 2002-03 associated with delaying the openings.

DISCUSSION POINTS

1. The following table identifies the modifications to current funding associated with the Governor's proposed delay in opening the Stanley Correctional Institution, the New Lisbon Correctional Institution, the Highview Geriatric Correctional Facility, the inmate workhouses, the Sturtevant probation and parole facility and the Oshkosh Correctional Institution segregation unit. Each of the institutions is further detailed in subsequent sections of this paper.

<u>Institution</u>	<u>2001-02</u>		<u>2002-03</u>	
	<u>Amount</u>	<u>Positions</u>	<u>Amount</u>	<u>Positions</u>
Stanley				
Operational	\$0	0.00	-\$796,100	0.00
Contract Bed Costs	<u>0</u>	<u>0.00</u>	<u>4,271,600</u>	<u>0.00</u>
Total GPR	\$0	0.00	\$3,475,500	0.00
New Lisbon				
Operational GPR	\$0	0.00	-\$6,843,600	-276.10
Operational PR	0	0.00	-109,200	-3.40
Contract Bed Costs	<u>0</u>	<u>0.00</u>	<u>519,300</u>	<u>0.00</u>
Total	\$0	0.00	-\$6,433,500	-279.50
Total GPR	0	0.00	-6,324,300	-276.10
Total PR	0	0.00	-109,200	-3.40
Highview Geriatric				
Operational GPR	\$0	0.00	-\$5,764,700	-210.43
Operational PR	0	0.00	-13,300	-0.40
Contract Bed Costs	<u>0</u>	<u>0.00</u>	<u>519,300</u>	<u>0.00</u>
Total	\$0	0.00	-\$5,258,700	-210.83
Total GPR	0	0.00	-5,245,400	-210.43
Total PR	0	0.00	-13,300	-0.40
Inmate Workhouses				
Operational	-\$1,212,900	-25.00	-\$4,331,700	-50.00
Contract Bed Costs	<u>275,600</u>	<u>0.00</u>	<u>3,790,200</u>	<u>0.00</u>
Total GPR	-\$937,300	-25.00	-\$541,500	-50.00
Probation and Parole Hold Facility				
Operational	\$0	0.00	-\$3,170,600	-50.00
Contract Bed Costs	<u>0</u>	<u>0.00</u>	<u>0</u>	<u>0.00</u>
Total GPR	\$0	0.00	-\$3,170,600	-50.00
Oshkosh Segregation				
Operational	\$0	0.00	-\$260,400	-10.00
Contract Bed Costs	<u>0</u>	<u>0.00</u>	<u>0</u>	<u>0.00</u>
Total GPR	\$0	0.00	-\$260,400	-10.00
Total	-\$937,300	-25.00	-\$12,189,200	-600.33
Total GPR	-937,300	-25.00	-12,066,700	-596.53
Total PR	0	0.00	-122,500	-3.80

Stanley Correctional Institution

2. In August, 1998, construction on a medium-security correctional facility in Stanley (approximately 25 miles east of Chippewa Falls) began. The facility, which was completed in the Fall of 2000, has 750 cells for housing 1,500 inmates in double-occupied cells with toilets ("wet cells"). In addition, the facility has 120 single-occupancy segregation cells and six infirmary cells.

3. On September 21, 2001, the Building Commission, on a 7 to 1 vote, approved a request to: (a) "purchase the medium security correctional facility located in Stanley, Wisconsin at a total cost of \$79,917,000 (\$74,915,600 General Fund Supported Borrowing and \$5,001,400 Federal Funds)"; and (b) release "\$1,177,000 in DOC Correctional Facilities Residual Bonding Authority and \$6,040,400 General Fund Supported Borrowing-All Agency Funding for infrastructure improvements and moveable equipment for the facility, for a total project cost of \$87,134,400 (\$82,133,000 General Fund Supported Borrowing and \$5,001,400 Federal Funds)."

4. In Act 16, \$11,701,700 GPR and 335.91 GPR positions and \$24,100 PR and 2.8 PR positions in 2001-02 and \$22,736,900 GPR and 395.7 GPR positions and \$127,900 PR and 2.8 PR positions in 2002-03 were provided to staff the Stanley Correctional Institution. Under Act 16, the facility was scheduled to open in July, 2002.

5. In SS AB 1, opening of the Stanley Correctional Institution is delayed from July, 2002, to September, 2002. Cost savings associated with the delay are \$3,296,200 GPR in 2001-02 and \$796,100 GPR in 2002-03. These cost savings are, however, offset by an increase of \$4,271,600 GPR in 2002-03 for 249 additional contract beds associated with fewer inmates being held in the facility during 2002-03. Also, the bill does not reduce costs in 2001-02, but rather Corrections has been allowed to retain these savings to fund unspecified shortfalls in salary, contract beds and inmate health care costs. The net result of SS AB 1 is that the delay in opening the Stanley Correctional Institution will increase costs by \$3,475,500 GPR in 2002-03.

6. On November 12, 2001, DOA implemented a hiring freeze for state agencies. While positions related to public safety were exempt from the freeze, some positions were not exempt. In the Department of Corrections, exempt positions included correctional officers, food service staff, some medical staff, power plant operators, some program assistants and psychiatrists. Nonexempt positions included maintenance staff, psychologists, educational staff, recreational staff, social workers, personnel, business and financial resource staff and storekeepers. Under DOA's guidelines, hiring of non-exempt positions must be approved by DOA before the hiring process may begin. Exemptions for the hiring of staff for Stanley were granted in February, 2002. As a result, according to Corrections, the earliest that Stanley can be opened is September, 2002.

7. Corrections indicates that in 2001-02 the contract beds appropriation will experience a deficit primarily as a result of the Department's continued use in 2001-02 of Wisconsin county jail beds, particularly the Milwaukee House of Correction. Act 16 assumed that this use would end by April, 2002. As of February, 2002, the Department estimates the deficit in the appropriation at \$3.9 million. Further, Corrections currently estimates that inmate health care costs will exceed budgeted costs by \$1.5 million. However, the Department indicates that "it can cover the salary and health deficit through internal management of funds, the delay of the Stanley facility and savings in other appropriations which will necessitate s. 13.10's at a future date. The Department currently has no available funding to cover the projected contract bed deficit." In order to partially address these potential deficits, SS AB 1 allows Corrections to retain the 2001-02 cost savings of \$3,296,200 GPR associated with the delayed opening of Stanley.

8. If all cost savings associated with the delayed opening of the Stanley Correctional Institution were utilized in SS AB 1, delaying the opening of the facility would cost \$179,300 GPR over the biennium. While Corrections has identified potential cost shortfalls in 2001-02, it can be argued that these costs have not yet been fully determined and should be more appropriately addressed through the s. 13.10 process when costs have been ascertained. This is the manner in which past Corrections' salary and health care shortfalls have been addressed. If the Committee wishes, funding associated with the delay in 2001-02 (\$3,296,200 GPR) could be deleted.

9. Alternatively, it could be argued that since the opening of the facility will be delayed until September, 2002, as a result of DOA-directed hiring delays and given that Corrections has potential funding shortfalls, \$3,296,200 GPR in 2001-02 should be placed in unallotted reserve to fund potential shortfalls. Under this alternative, the funding would be available in 2001-02 to cover any deficit. If cost shortfalls occurred in health care costs which are funded from the same appropriation as most of Stanley's costs, DOA could release the appropriate amount of funding. If a cost shortfall occurred in contract beds, which is a separate GPR appropriation, funding could be transferred by the Joint Committee on Finance under s. 13.10 action. If, however, increased funding was not necessary for either of these purposes, funding in unallotted reserve would lapse to the general fund at the end of 2001-02.

10. Given that the facility will not be able to open until September, 2002, funding for contract beds in 2002-03 (\$4,271,600 GPR) will be necessary to replace the reduced annual capacity of the prison system.

New Lisbon Correctional Institution

11. On September 17, 1998, the Building Commission approved \$27,946,400 in general fund-supported borrowing for the construction of a 375-bed medium-security correctional institution in New Lisbon. The facility will also contain a 50-bed segregation unit. Costs of the project were increased on November 17, 1998, by \$303,600 for an environmental impact statement, by \$20.0 million (\$15.0 million in general fund-supported borrowing and \$5.0 million in federal funds) on November 11, 1999, for an additional 375-bed expansion and by \$3,000,000 FED for increased moveable equipment costs on April 18, 2001. Total project costs for the 750-bed institution are \$51.25 million.

12. In 1999 Act 9, \$9,400 GPR and 2.0 GPR positions in 1999-00 and \$728,700 GPR and 9.0 GPR positions in 2000-01 was provided for initial staffing at the New Lisbon Correctional Institution. The initial positions include 1.0 warden, 1.0 secretary, 1.0 human resources specialist, 1.0 institutional business director, 2.0 building and maintenance positions, 1.0 institutional security director, 1.0 corrections program supervisor and 1.0 program assistant. In 2001 Act 16, opening of the facility was scheduled for June, 2003, and \$6,633,600 GPR and 276.6 GPR positions and \$109,200 PR and 3.4 PR positions in 2002-03 was provided.

13. Under SS AB 1, a total of \$6,324,300 GPR and 276.1 GPR positions and \$109,200 PR and 3.4 PR positions in 2002-03 is deleted associated with the delayed opening of the New

Lisbon Correctional Institution from June, 2003, to July, 2004. Included in the net GPR decrease are \$305,500 GPR and 0.5 GPR provided for a maintenance mechanic position for the temporary "mothballing" of the facility and \$519,300 GPR in increased contract bed costs for 30 additional beds.

14. Construction of the New Lisbon Correctional Institution will be substantially complete by February, 2002. However, because Act 16 established a June, 2003, opening date, staffing and training activities associated with the facility are currently scheduled for that date.

15. Given that New Lisbon Correctional Institution is substantially complete, it could be argued that utilizing the facility to the maximum extent possible in the 2001-03 biennium would be appropriate. According to Corrections, the timeframe necessary to open the institution subsequent to completion is approximately ten months. Therefore, the earliest possible opening date for New Lisbon would be February, 2003. Opening the facility at that time would provide an additional 750 beds in 2002-03. Under this alternative, 4.0 security and maintenance staff would be provided in 2001-02, the same staffing as in Act 16 would be provided for 2002-03, and \$2,799,800 GPR in 2002-03 provided for contract bed costs could be deleted. As a result, costs under the bill would increase by \$237,000 GPR and 4.0 GPR positions in 2001-02 and \$7,689,900 GPR and 276.1 GPR positions and \$96,500 PR and 3.4 PR positions in 2002-03.

16. As an alternative to the Governor's recommended opening of the facility in June, 2004, the Committee could consider opening the facility in January, 2004. This would allow the facility to be utilized sooner in 2003-04 than would be provided by the SS AB 1. Opening the facility in January, 2004, would result in an increase to the bill of \$480,200 GPR and 30.88 GPR positions and \$1,200 PR and 0.4 PR position in 2002-03. Funding would support initial administrative, security, program and maintenance staff necessary to prepare the facility for opening in January, 2004. Additional staff necessary for operation of the institution would need to be provided in the 2003-05 biennial budget.

17. Retaining the Act 16 opening date for the facility (June, 2003) would result in an increase to the bill of \$6,324,300 GPR and 276.1 GPR positions and \$109,200 PR and 3.4 PR positions in 2002-03. Funding provided under Act 16 for New Lisbon would be retained and the increased funding provided under SS AB 1 for 30 additional contract beds in 2002-03 (\$519,300 GPR) would not be necessary.

Highview Geriatric Correctional Facility

18. Remodeling of the Highview facility on the grounds of the Northern Wisconsin Center for the Developmentally Disabled into a geriatric facility for male inmates was approved in 1999 Act 9, the 1999-01 biennial budget. On August 8, 2000, the Building Commission approved the transfer of Highview Hall at the Department of Health and Family Service's Northern Center to the Department of Corrections. The Commission also approved \$7,294,000 in general fund-supported borrowing for the remodeling and conversion of Highview to a 300-bed medium-security geriatric prison. The project will include security enhancements, a control center, indoor and

outdoor recreation areas, remodeling of living spaces, a health services unit, a visiting room and upgrades to plumbing, sprinkler and electrical systems.

19. In Act 16, the facility was scheduled to open in June, 2003, and \$5,900,600 GPR and 215.43 GPR positions and \$13,300 PR and 0.4 PR position in 2002-03 was provided.

20. Under SS AB 1, \$5,245,400 GPR and 210.43 GPR positions and \$13,300 PR and 0.4 PR position in 2002-03 are deleted to delay the opening of the Highview Geriatric Correctional Facility from June, 2003, to July, 2004. Included in the net GPR decrease are increases of \$499,900 GPR and 5.0 GPR positions (1.0 warden and 4.0 correctional sergeants) funded for 10 months for the temporary "mothballing" of the facility and \$519,300 GPR in increased contract bed costs for 30 additional beds.

21. Corrections currently estimates that construction at Highview will be substantially complete by September, 2002. Given the timeframe necessary for opening institutions subsequent to completion (approximately ten months) and the estimated completion date of Highview (September, 2002), the earliest possible opening date for the facility would be February, 2003. Opening the facility in February, 2003, would provide an additional 300 beds in 2002-03. Under this alternative, 3.0 administrative staff positions (the warden, institutional business director and institutional human resources director) would be provided in 2001-02, the same staffing as in Act 16 would be provided for 2002-03, and \$2,216,900 GPR provided for contract beds could be deleted. As a result, costs under the bill would increase by \$166,100 GPR and 3.0 GPR positions in 2001-02 and \$7,157,100 GPR and 210.43 GPR positions and \$17,400 PR and 0.4 PR position in 2002-03.

22. As an alternative to opening the facility in July, 2004, the Committee could consider opening the facility in January, 2004. This would allow the facility to be utilized sooner in 2003-04 than would be provided by the SS AB 1. Opening the facility in January, 2004, would result in an increase to the bill of \$303,100 GPR and 5.63 GPR positions in 2002-03. Funding would support initial administrative, security, program and maintenance staff necessary to prepare the facility for opening in January, 2004. Since vehicles for a facility must be ordered in advance of the facility opening, funding would also include the cost of vehicles as provided in Act 16. Additional staff necessary for operation of the institution would need to be provided in the 2003-05 biennial budget.

23. Retaining the Act 16 opening date for the facility (June, 2003) would result in an increase to the bill of \$5,245,400 GPR and 210.43 GPR positions and \$13,300 PR and 0.4 PR positions in 2002-03. Funding provided under Act 16 for Highview would be retained and the increased funding provided under SS AB 1 for 30 additional contract beds in 2002-03 (\$519,300 GPR) would not be necessary.

Inmate Workhouses

24. On September 13, 2000, the Building Commission approved \$5,036,600 in general fund-supported borrowing for the construction of a 150-bed inmate workhouse and an expansion of the kitchen and dining space at the Winnebago Correctional Center. On December 20, 2000, the

Building Commission approved \$3,199,000 in general fund-supported borrowing for the construction of a 150-bed inmate workhouse in Sturtevant. The workhouses will consist of 38 four-bed sleeping rooms, with a central toilet/shower facility. The workhouses will also have recreation areas, classrooms, laundry, office space, maintenance, electrical and mechanical area, canteen and storage.

25. Under Act 16, the Winnebago workhouse was scheduled to open in May, 2002, and the Sturtevant workhouse in January, 2003. Act 16 provides \$1,174,900 GPR and 25.0 GPR in 2001-02 and \$3,833,300 GPR and 50.0 GPR positions in 2002-03 to staff the two facilities.

26. Under SS AB 1, \$937,300 GPR and 25.0 GPR positions in 2001-02 and \$541,500 GPR and 50.0 GPR positions in 2002-03 are deleted to delay the opening of the two 150-bed inmate workhouses to May, 2004. Included in the net decrease is \$275,600 GPR in 2001-02 and \$3,790,200 GPR in 2002-03 in increased contract bed costs for 219 additional beds.

27. Construction of the workhouses did not begin last year, as anticipated in Act 16. Corrections currently estimates that construction of the Winnebago and Sturtevant workhouses will be complete by August, 2003. However, it should be noted that because SS AB 1 delays the opening of these facilities until May, 2004, and because construction has not yet begun, the opening dates may change. Since the design of the workhouses is less complicated than other correctional facilities, Corrections indicates that these facilities can be built within a fourteen-month period once construction begins. Opening of the facilities could begin approximately one month later.

28. If the Committee wishes, the bill could be modified to allow for the opening of the inmate workhouses based on the scheduled completion date. Since the opening date of the facilities would occur just after the beginning of the 2003-05 biennium and Corrections would need position authority in order to hire, positions could be provided without funding. Because the workhouses are minimum-security facilities designed for inmate work release, it could be argued that the cost of opening the facilities when completed would be partially offset by the benefits of work afforded the inmates and the availability of inmate wages for room and board, child support, restitution payments and other debts owned by inmates. Under this alternative, the Winnebago workhouse and the Sturtevant workhouse would open in October, 2003. Opening the facilities at these times would result in an increase to the bill of \$1,281,300 GPR and 50.0 GPR positions in 2002-03. Funding would include one-time start up costs.

29. Since construction of the two workhouses has been delayed until early 2003-04, deleting the provision of SS AB 1 may not be appropriate. However, if the Committee wishes, opening of the workhouses could be scheduled for January, 2004. Under this alternative, costs under the bill could be increased by \$502,100 GPR and 1.0 GPR position in 2002-03 to support initial facility costs, including the purchase of institutional vehicles as under Act 16. Since the majority of positions at the facilities would be hired two months before the opening of the facility, staffing for the facilities could be provided in the 2003-05 biennial budget.

Sturtevant Probation And Parole Facility

30. On December 20, 2000, the Building Commission approved \$12,345,500 in general fund-supported borrowing for the construction of a 150-bed probation and parole hold (P&P) facility in Sturtevant, adjacent to the Racine Correctional Institution. The project was funded as part of a \$58 million enumeration for correctional facilities expansion in the 1999-01 state building program. The project would be built concurrently with and attached to, the Sturtevant inmate workhouse, and would share food service, maintenance and support areas. The P&P hold facility would contain two 75-bed housing units. Each of the units would have televisiting, attorney interview rooms and common areas. Food service would be provided from a kitchen at the facility, staffed by inmates from the workhouse and placed on trays for offenders in the P&P facility. The facility would also have administrative and support areas, and the central control center.

31. Under Act 16, the P&P Hold Facility was scheduled to open in January, 2003, and \$3,079,400 GPR and 50.0 GPR positions was provided in 2002-03.

32. Under SS AB 1, \$3,170,600 GPR and 50.0 GPR positions in 2002-03 is deleted associated with the delayed opening of the Sturtevant Probation and Parole Hold Facility from January, 2003, to May, 2004.

33. As with the adjacent Sturtevant inmate workhouse, Corrections indicates that completion of the P&P Hold Facility is currently estimated to be August, 2003. However, it should be noted that because SS AB 1 delays the opening until May, 2004, and because construction has not yet begun, the opening date may change.

34. Because the P&P Hold Facility contains the core service areas, including food services and health services, and administrative offices for both the P&P hold facility and the workhouse, the opening date for the P&P Hold Facility would need to be the same as, or earlier than, the Sturtevant workhouse opening.

35. The earliest the facility would be available for use is October, 2003. If the Committee wishes, the bill could be modified to provide funding to open the facility at that time. Since the opening date of the facility would occur just after the beginning of the 2003-05 biennium and Corrections would need position authority in order to hire, positions could be provided without funding. Under this alternative, costs under the bill could be increased by \$969,500 GPR and 50.0 GPR positions in 2002-03. As a result, 150 probation and parole hold beds would be available.

36. Alternatively, the Committee could consider opening the facility in January, 2004. Since none of the positions associated with the facility need to be hired more than two months before the opening of the facility, only costs associated with purchasing vehicles for the facility as originally approved under Act 16 (\$233,700 GPR in 2002-03) and one month of fuel and utility costs would be necessary. All other costs for the facility could be provided in the 2003-05 biennial budget. Under this alternative, costs under the bill would increase by \$240,500 GPR in 2002-03.

37. Because this is a probation and parole hold facility and not a state prison, delaying

the project does not result in a need for additional contract bed funding. Likewise, opening the facility sooner would not save contract bed costs.

Oshkosh Correctional Institution Segregation Facility

38. The expansion of the Oshkosh Correctional Institution's segregation housing unit was authorized in the 1999-01 state building program at \$4,189,500 in general fund supported borrowing. On November 22, 2000, the Building Commission approved construction of a 50-bed segregation unit. Under Act 16, \$260,400 GPR and 10.0 GPR positions in 2002-03 were provided to staff the facility, budgeted to open in June, 2003.

39. Under SS AB 1, opening of the facility is delayed until July, 2004, and funding and positions provided under Act 16 are eliminated.

40. Currently, Oshkosh has a 50-bed segregation unit. American Correctional Association standards specify that a correctional facility should have the equivalent of at least 10% of its capacity designated for segregation purposes; in mid-February, 2002, the facility had 1,887 inmates. As a result of overcrowding in the segregation unit at Oshkosh and other medium- and maximum-security correctional facilities, the Department has transferred inmates confined to segregation units in those facilities to the Supermax Correctional Institution.

41. Corrections indicates that construction of the unit will be complete by October, 2002, and available for use beginning in November, 2002. If the Committee wishes, the bill could be modified to provide funding and positions to open the unit at that time. Under this alternative, cost to the bill would increase by \$505,000 GPR and 10.0 GPR positions in 2002-03.

42. The intent of the bill is that the Oshkosh segregation unit would not open until July, 2004. However, since positions for the unit need only be hired three months before the unit's opening, the unit could actually open any time after January, 2004, depending on funding and positions provided in the 2003-05 biennial budget. Thus, even if funding and positions are deleted as proposed under SS AB 1, the unit could open sooner in the 2003-05 biennium than July, 2004.

ALTERNATIVES TO BILL

A. Stanley Correctional Institution

1. Approve the Governor's recommendation to provide \$3,475,500 GPR in 2002-03 (-\$796,100 in institutional reductions and \$4,271,600 in increased contract bed costs for 249 additional beds) to delay the opening of the Stanley Correctional Institution from July, 2002, to September, 2002.

2. Modify the bill to delete an additional \$3,296,200 GPR in 2001-02 associated with cost savings of the delayed opening.

Alternative A2	GPR
2001-03 FUNDING	- \$3,296,200

3. Modify the bill to direct the Department of Administration to place \$3,296,200 GPR in 2001-02 in the Department of Corrections' general program operations appropriation in unallotted reserve to be used to offset potential salary, inmate health care and contract bed cost shortfalls.

4. Delete the recommendation.

Alternative A4	GPR
2001-03 FUNDING	- \$3,475,500

B. New Lisbon Correctional Institution *Done?*

① Approve the Governor's recommendation to delete \$6,843,600 GPR and 276.1 GPR positions and \$109,200 PR and 3.4 PR positions in 2002-03 to delay the opening of the New Lisbon Correctional Institution from June, 2003, to July, 2004. Provide \$519,300 GPR in 2002-03 to fund additional prison contract beds.

2. Modify the bill to provide \$237,000 GPR and 4.0 GPR positions in 2001-02 and \$7,689,900 GPR and 276.1 GPR positions and \$96,500 PR and 3.4 PR positions in 2002-03 to open the New Lisbon Correctional Institution in February, 2003, instead of July, 2004.

Alternative B2	GPR	PR	TOTAL
2001-03 FUNDING	\$7,926,900	\$96,500	\$8,023,400
2002-03 POSITIONS	276.10	3.40	279.50

3. Modify the bill to provide \$480,200 GPR and 30.88 GPR positions and \$1,200 PR and 0.4 PR positions in 2002-03 to open the New Lisbon Correctional Institution in January, 2004, instead of July, 2004.

Alternative B3	GPR	PR	TOTAL
2001-03 FUNDING	\$480,200	\$1,200	\$481,400
2002-03 POSITIONS	30.88	0.40	31.28

4. Delete the recommendation. Under this alternative, the New Lisbon Correctional Institution would open in June, 2003, instead of July, 2004.

<u>Alternative B4</u>	<u>GPR</u>	<u>PR</u>	<u>TOTAL</u>
2001-03 FUNDING	\$6,324,300	\$109,200	\$6,433,500
2002-03 POSITIONS	276.10	3.40	279.50

C. Highview Geriatric Correctional Facility

1. Approve the Governor's recommendation to delete \$5,764,700 GPR and 210.43 GPR positions and \$13,300 PR and 0.4 PR positions to delay the opening of the Highview Geriatric Facility from June, 2003, to July, 2004. Provide \$519,300 GPR in 2002-03 to fund additional prison contract beds.

2. Modify the bill to provide \$166,100 GPR and 3.0 GPR positions in 2001-02 and \$7,157,100 GPR and 210.43 GPR positions and \$17,400 PR and 0.40 PR position in 2002-03 to open the Highview Geriatric Facility in February, 2003, instead of July, 2004.

<u>Alternative C2</u>	<u>GPR</u>	<u>PR</u>	<u>TOTAL</u>
2001-03 FUNDING	\$7,323,200	\$17,400	\$7,340,600
2002-03 POSITIONS	210.43	0.40	210.83

3. Modify the bill to provide \$303,100 GPR and 5.63 GPR positions in 2002-03 to open the Highview Geriatric Facility in January, 2004, instead of July, 2004.

<u>Alternative C3</u>	<u>GPR</u>
2001-03 FUNDING	\$303,100
2002-03 POSITIONS	5.63

4. Delete the recommendation. Under this alternative, the Highview Geriatric Facility would open in June, 2003, instead of July, 2004.

<u>Alternative C4</u>	<u>GPR</u>	<u>PR</u>	<u>TOTAL</u>
2001-03 FUNDING	\$5,245,400	\$13,300	\$5,258,700
2002-03 POSITIONS	210.43	0.40	210.83

D. Inmate Workhouses

1. Approve the Governor's recommendation to delete \$1,212,900 GPR and 25.0 GPR positions in 2001-02 and \$4,331,700 GPR and 50.0 GPR positions in 2002-03 to delay the opening of the inmate workhouses until May, 2004, from May, 2002, for the Winnebago workhouse and

January, 2003, for the Sturtevant workhouse. Provide \$275,600 GPR in 2001-02 and \$3,790,200 GPR in 2002-03 to fund additional contract beds.

2. Modify the bill to provide \$1,281,300 GPR and 50.0 GPR positions in 2002-03 to open the Winnebago and Sturtevant Inmate Workhouses in October, 2003, instead of both facilities in May, 2004.

<u>Alternative D2</u>	<u>GPR</u>
2001-03 FUNDING	\$1,281,300
2002-03 POSITIONS	50.00

3. Modify the bill to provide \$502,100 GPR and 1.0 GPR position in 2002-03 to open the Winnebago and Sturtevant Inmate Workhouses in January, 2004, instead of May, 2004.

<u>Alternative D3</u>	<u>GPR</u>
2001-03 FUNDING	\$502,100
2002-03 POSITIONS	1.00

E. Sturtevant Probation and Parole Hold Facility

1. Approve the Governor's recommendation to delete \$3,170,600 GPR and 50.0 GPR positions in 2002-03 to delay the opening of the Sturtevant Probation and Parole Hold Facility from January, 2003 to May, 2004.

2. Modify the bill to provide \$969,500 GPR and 50.0 GPR positions in 2002-03 to open the Sturtevant Probation and Parole Hold Facility in October, 2003, instead of May, 2004.

<u>Alternative E2</u>	<u>GPR</u>
2001-03 FUNDING	\$969,500
2002-03 POSITIONS	50.00

3. Modify the bill to provide \$240,500 GPR in 2002-03 to open the Sturtevant Probation and Parole Hold Facility in January, 2004, instead of May, 2004.

<u>Alternative E3</u>	<u>GPR</u>
2001-03 FUNDING	\$240,500

F. Oshkosh Correctional Institution Segregation Facility

1. Approve the Governor's recommendation to delete \$260,400 GPR and 10.0 GPR positions in 2002-03 to delay the opening of the Oshkosh Correctional Institution segregation facility from June, 2003, to July, 2004.

2. Modify the bill to provide \$505,000 GPR and 10.0 GPR positions in 2002-03 to open the Oshkosh Correctional Institution segregation facility in November, 2002, instead of July, 2004.

<u>Alternative F2</u>	<u>GPR</u>
2001-03 FUNDING	\$505,000
2002-03 POSITIONS	10.00

3. Delete the recommendation. Under this alternative, the Oshkosh Correctional Institution segregation facility would open in June, 2003, instead of July, 2004.

<u>Alternative F3</u>	<u>GPR</u>
2001-03 FUNDING	\$260,400
2002-03 POSITIONS	10.00

Prepared by: Jere Bauer

①

MO# A2

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 _____