

ADMINISTRATION

Budget Summary						FTE Position Summary				
Fund	2020-21 Adjusted Base	Governor		2021-23 Change Over Base Year Doubled		2020-21	Governor		2022-23 Over 2020-21	
		2021-22	2022-23	Amount	%		2021-22	2022-23	Number	%
GPR	\$18,333,600	\$98,558,100	\$44,760,500	\$106,651,400	290.9%	63.72	68.87	67.87	4.15	6.5%
FED	140,392,800	140,043,500	139,922,500	- 819,600	- 0.3	60.80	52.80	52.80	- 8.00	- 13.2
PR	394,746,700	398,866,200	402,895,300	12,268,100	1.6	1,301.81	1,309.46	1,309.46	7.65	0.6
SEG	<u>55,520,700</u>	<u>59,403,800</u>	<u>60,361,000</u>	<u>8,723,400</u>	7.9	<u>12.75</u>	<u>12.55</u>	<u>12.55</u>	<u>- 0.20</u>	- 1.6
TOTAL	\$608,993,800	\$696,871,600	\$647,939,300	\$126,823,300	10.4%	1,439.08	1,443.68	1,442.68	3.60	0.3%

Budget Change Items

General Agency Provisions

1. STANDARD BUDGET ADJUSTMENTS

Governor: Provide adjustments to the base totaling \$97,000 GPR, \$104,900 FED, \$2,110,900 PR, and -\$70,800 SEG and -3.0 FED positions in 2021-22 and \$36,100 GPR, \$22,700 FED, \$2,136,400 PR, and -\$113,600 SEG and -1.0 GPR and -3.0 FED positions in 2022-23. Adjustments are for: (a) turnover reduction

	Funding	Positions
GPR	\$133,100	- 1.00
FED	127,600	- 3.00
PR	4,247,300	0.00
SEG	<u>- 184,400</u>	<u>0.00</u>
Total	\$4,323,600	- 4.00

(-\$2,282,000 PR annually); (b) removal of non-continuing elements from the base (-\$119,900 FED and -\$37,600 SEG and -3.0 FED positions in 2021-22 and -\$62,100 GPR, -\$202,100 FED, and -\$80,400 SEG and -1.0 GPR and -3.0 FED positions in 2022-23); (c) full funding of continuing position salaries and fringe benefits (\$323,800 GPR, \$305,200 FED, \$2,505,000 PR, and \$2,600 SEG annually); (d) reclassifications and semiautomatic pay progression (\$28,700 PR annually); (e) overtime (\$539,300 PR annually); (f) night and weekend differential pay (\$28,100 PR annually); (g) full funding of lease and directed moves costs (-\$226,800 GPR, -\$80,400 FED, \$1,291,800 PR, and -\$35,800 SEG in 2021-22 and -\$225,600 GPR, -\$80,400 FED, \$1,317,300 PR, and -\$35,800 SEG in 2022-23) and (h) minor transfers within the same alpha appropriation (\$0 PR annually).

2. DEBT SERVICE REESTIMATE

Governor: Provide \$24,800 GPR and -\$2,063,400 PR in 2021-22

GPR	- \$416,200
PR	<u>- 10,373,500</u>
Total	- \$10,789,700

and -\$441,000 GPR and -\$8,310,100 PR in 2022-23 to reflect current law estimates of debt service costs on state general obligation bonds and commercial paper debt issued for the following programs: (a) educational technology infrastructure in schools (\$37,500 GPR in 2021-22 and -\$389,200 GPR in 2022-23); (b) educational technology infrastructure for public library boards (\$1,100 GPR in 2021-22 and -\$2,100 GPR in 2022-23); (c) Black Point Estate in Lake Geneva (-\$13,800 GPR in 2021-22 and -\$49,700 GPR in 2022-23); (d) parking facilities in Madison (\$16,200 PR in 2021-22 and -\$810,700 PR in 2022-23; and (e) buildings used to house state agencies (-\$2,079,600 PR in 2021-22 and -\$7,499,400 PR in 2022-23).

3. POSITION REALLOCATIONS

Governor: Provide -\$258,000 FED, \$304,100 PR, and -\$46,100 SEG and -2.0 FED, 2.2 PR, and -0.2 SEG positions annually.

	Funding	Positions
FED	-\$516,000	- 2.00
PR	608,200	2.20
SEG	<u>- 92,200</u>	<u>- 0.20</u>
Total	\$0	0.00

Positions and funding would be deleted from the following Department of Administration (DOA) appropriations: (a) services to non-state governmental units; entity contract (\$114,400 PR and 1.0 PR position annually); (b) materials and services to state agencies and certain districts (\$148,400 PR and 0.85 PR position annually); (c) federal aid (\$144,800 FED and 1.0 FED position annually); (d) general program operations - environmental improvement programs; state funds (\$46,100 SEG and 0.2 SEG position annually); (e) housing and community development, federal aid; state operations (\$113,200 FED and 1.0 FED position annually); and (f) general program operations; bingo (\$171,200 PR and 2.15 PR positions annually).

Positions and funding would be provided to the following DOA appropriations: (a) printing, mail, communication, and information technology services; state agencies (\$159,200 PR and 1.55 PR positions annually); (b) capital planning and building construction services (\$113,600 PR and 0.5 PR position annually); (c) enterprise resource planning system (\$153,100 PR and 1.0 PR position annually); (d) financial services (\$141,000 PR and 1.0 PR position annually); (e) general program operations; Indian gaming (\$84,100 PR and 0.8 PR position annually); and (f) general program operations; raffles (\$87,100 PR and 1.35 PR positions annually).

4. EQUITY GRANT PROGRAM

Governor: Provide \$5.0 million GPR in 2021-22 and \$5.0 million SEG in 2022-23 to create a grant program for public, private, and nonprofit entities in the state that promote diversity and advance equity and inclusion. Create an annual GPR appropriation to fund the equity grant program and other diversity, equity, and inclusion initiatives (Item #5). Create an annual SEG appropriation, funded by excise taxes paid by marijuana producers and retailers, to fund the equity grant program starting in 2022-23. [It should be noted that the bill would also create equity grant programs under the Departments of Children and Families and Health Services. The administration indicates that each agency would award grants for activities overseen by that agency.]

GPR	\$5,000,000
SEG	<u>5,000,000</u>
Total	\$10,000,000

[Bill Sections: 102, 103, and 467]

5. DIVERSITY, EQUITY, AND INCLUSION INITIATIVES

	Funding	Positions
GPR	\$498,300	1.00

Governor: Provide \$235,600 GPR in 2021-22, \$262,700 GPR in 2022-23, and 1.0 GPR unclassified position annually to administer diversity, equity, and inclusion activities overseen by DOA, as determined by the Secretary of DOA.

Equity Officers. The 1.0 unclassified position would serve as the state's chief equity officer. The chief equity officer would be responsible for collaborating with agency equity officers to advance equity in government operations, including determining how current government practices and policies impact communities of color and individuals with disabilities. Allocate \$90,600 GPR in 2021-22 and \$120,700 GPR in 2022-23 for salaries and fringe benefits and \$13,000 GPR in 2021-22 and \$10,000 GPR in 2022-23 for supplies and services associated with the position. [Under the bill, the state's chief equity officer position is not identified in the list of positions constituting the unclassified service or assigned to an executive salary group.] In addition, reallocate 1.0 position annually to create an agency equity officer position within DOA. The Department indicates the position would be reallocated from DOA's general program operations GPR appropriation.

Agency equity officers would also be created or reallocated from existing position authority in the following agencies: Agriculture, Trade, and Consumer Protection; Children and Families; Corrections; Financial Institutions; Health Services; Justice; Military Affairs; Natural Resources; Public Instruction; Revenue; Safety and Professional Services; Tourism; Transportation; Veterans Affairs; Workforce Development; the Office of the Commissioner of Insurance; and the Public Service Commission. In total, the above agencies would be provided funding and position authority of \$316,300 GPR and \$124,300 PR in 2021-22, \$415,000 GPR and \$178,700 PR in 2022-23, and 5.0 GPR and 2.0 PR positions annually for equity officers.

Fellowship Program and Conferences. The administration indicates that DOA would also administer a Governor's fellowship program, establish a Governor's progress summit, and host a state-sponsored diversity, equity, and inclusion conference. According to DOA, the fellowship program would assign college students from diverse backgrounds to state agencies to help students gain experience working in government. The Governor's summit would include local, state, and tribal leaders and would focus on addressing equity in areas such as racial justice, education, housing, and employment. The diversity, equity, and inclusion conference would focus on workshops and seminars on best practices for state and local government employees. The bill would provide \$132,000 GPR annually for such diversity, equity, and inclusion initiatives.

[Bill Section: 453]

6. CIVIL LEGAL ASSISTANCE GRANT PROGRAM

GPR	\$4,000,000
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Governor: Create an annual civil legal assistance appropriation and provide \$2.0 million annually. Require DOA to pay the amounts appropriated to the Wisconsin Trust Account Foundation, Inc., to distribute grants to programs that provide civil legal services to indigent persons. Specify that grant funds may be used as a match for other federal and private grants, but

may only be used for the purposes for which the funding was provided. The administration indicates that eligible services may include legal services relating to eviction, unemployment compensation, consumer law, domestic violence, and health insurance matters. According to DOA, the recommended funding level is based on prior allocations made for this purpose in the 2009-11 biennium.

[Bill Sections: 101 and 452]

7. GRANT RESOURCE TEAM

	Funding	Positions
GPR	- \$171,200	- 0.85
PR	<u>205,200</u>	<u>0.85</u>
Total	\$34,000	0.00

Governor: Establish a grant resource team within the Office of the Secretary to assist state agencies and local governments in navigating state and federal grant application processes. Provide \$145,000 PR in 2021-22, \$186,600 PR in 2022-23, and 2.0 PR positions annually for the grant resource team. The team would be funded from assessments to state agencies. Funding and position increases would be offset in part by reductions to DOA's general program operations, transportation and records, and financial services appropriations totaling -\$85,600 GPR and -0.85 GPR position and -\$63,200 PR and -1.15 PR positions annually.

8. WISCONSIN WOMEN'S COUNCIL OPERATIONS

GPR	\$33,000
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Governor: Provide \$16,500 annually to DOA's existing appropriation for the women's council for limited-term employee (LTE) compensation to provide operational support. According to DOA, the LTE would: (a) build community relationships through education and outreach; (b) conduct listening sessions to inform planning; (c) conduct surveys for use in potential social and policy interventions; (d) assist in the development of standing advisory committees; and (e) attend, monitor, report and engage with key stakeholders on behalf of the Women's Council. The appropriation has base funding of \$153,800 annually.

9. ADMINISTRATIVE ATTACHMENTS

	Funding	Positions
PR	\$193,300	1.00

Governor: Provide increased expenditure authority of \$84,300 in 2021-22, \$109,000 in 2022-23, and 1.0 position annually to fund administrative services provided to state agencies. The provision would be supported by assessments to agencies for services provided.

Specify that the Higher Educational Aids Board (HEAB), Distance Learning Authorization Board, Kickapoo Reserve Management Board (KRMB), and State Fair Park (SFP) would be administratively attached to DOA for services such as financial, accounting, budgeting, purchasing, and other administrative support. The Department currently provides such services for KRMB. Under current law, HEAB and SFP are responsible for their own administrative services, and the Distance Learning Authorization Board is attached to HEAB.

In addition, specify that the following be administratively attached to DOA only for budgeting, program coordination, and related management purposes: Office of the Governor,

Office of the Lieutenant Governor, Office of the Secretary of State, and Office of the State Treasurer. Require DOA to perform budgeting, program coordination, and related management functions on behalf of the Department of Tourism. While DOA currently provides such services, it is not specified in statute. According to DOA, the provision is intended to provide consistent statutory references for agencies that receive administrative support from DOA.

[Bill Sections: 60, 62, 64 thru 66, 83 thru 87, 91, 757, 758, and 2501]

10. CAPITOL POLICE CAMERAS

PR	\$100,000
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Governor: Provide \$50,000 annually to purchase body-worn cameras and store data for the Division of Capitol Police. Funding would be provided to DOA's existing appropriation for police and protection functions. According to DOA, the Department would acquire 35 to 50 units at a cost of \$800 to \$1,200 per unit, depending upon the model. Ongoing costs, such as cloud storage and licensing, would depend on the number of units purchased.

11. REPEAL APPROVAL PROCESS FOR CAPITOL SECURITY CHANGES

Governor: Repeal the provision of 2017 Act 369 that requires DOA to submit any proposed changes to security at the Capitol, including the posting of a firearm restriction, to the Joint Committee on Legislative Organization (JCLC) for approval under a 14-day passive review process. Under current law, DOA may take any action related to security at the Capitol that is necessary to prevent or mitigate imminent danger and the Co-Chairs of JCLC may review the action later if they determine review is necessary.

[Bill Section: 146]

12. MUNICIPAL RECORDS FILINGS

Governor: Transfer the responsibility of filing certain municipal records from the Secretary of State to the Secretary of Administration and transfer associated records to DOA. Under 2015 Act 55 some, but not all, municipal records filing duties were transferred from the Secretary of State to DOA. The provision is intended to complete the transfer of these duties for all municipal filing categories. [See "Secretary of State."]

In addition, modify DOA's current statutory requirements to replace the term "plat" with the term "scale map" to conform to existing requirements for certain filings, including petitions for incorporation and annexation. Reduce the number of copies that must be provided to DOA from multiple copies to one copy in certain circumstances.

[Bill Sections: 1, 1072 thru 1077, 1079 thru 1082, 1096, 1097, 1110, 1118 thru 1120, 1125 thru 1133, 1168, 1169, 1199, 1479, 1480, and 2429 thru 2436]

13. MODIFY THE ANNEXATION PROCESS FOR COUNTIES UNDER 50,000

Governor: Remove the current law exemption for counties with a population under 50,000 from provisions of law related to annexations initiated by electors and property owners. The modification would make uniform the filing requirements for all annexations, regardless of county size. Under current law, no annexation initiated by electors and property owners in a county with over 50,000 residents is valid unless the person publishing a notice of annexation mails a copy of the notice to the clerk of each affected municipality and to DOA, within five days of publication. Within 20 days of receiving the notice, DOA is required to mail an opinion to the affected clerks determining whether the annexation is in the public interest. The annexing municipality is required to review the advice before final action is taken. The bill provisions would make these current law requirements applicable to counties with a population under 50,000. The following counties currently have populations under 50,000: Adams, Ashland, Barron, Bayfield, Buffalo, Burnett, Clark, Crawford, Door, Douglas, Dunn, Florence, Forest, Green, Green Lake, Iowa, Iron, Jackson, Juneau, Kewaunee, Lafayette, Langlade, Lincoln, Marinette, Marquette, Menominee, Monroe, Oconto, Oneida, Pepin, Pierce, Polk, Price, Richland, Rusk, Sawyer, Shawano, Taylor, Trempealeau, Vernon, Vilas, Washburn, and Waushara.

[Bill Sections: 1121 thru 1124]

14. FUND OF FUNDS INVESTMENT PROGRAM

Governor: Require that gross proceeds from the fund of funds investment program be reinvested in venture capital funds unless otherwise directed by DOA. Currently, the program invests in venture capital funds that invest in businesses located in the state. The state contracted with an investment manager in June, 2015, to invest the amounts contributed to the Badger Fund of Funds, including the state's contribution of \$25.0 million GPR. According to DOA, the state's contribution is held in escrow and is released as capital draws are requested. As of December, 2020, \$19.2 million of state and private funds had been invested and the total amount in the Fund of Funds was \$60.7 million.

Under current law, the gross proceeds from investments of the state's contribution must be returned to the state for deposit into the general fund. If the cumulative amount returned to the general fund reaches \$25.0 million, the investment manager must pay 90% of the gross proceeds from investments of the state's contribution thereafter. To date, no proceeds have been returned to the general fund.

[Bill Sections: 114 and 115]

15. WORKER MISCLASSIFICATION OUTREACH

Governor: Require that DOA direct departments (including agencies, constitutional offices, societies, associations, and other organizations for which appropriations are made by law) to provide educational outreach regarding worker misclassification to employers, workers, and organizations that serve vulnerable populations. Require that outreach be provided in English,

Spanish, and other languages; include the appropriate departments to contact; and emphasize individuals' right to remain anonymous when reporting misclassifications.

Under current law, employers are required to correctly classify each worker as either an "employee" or "independent contractor." Worker misclassification is the unlawful practice of labeling employees as independent contractors, thereby allowing employers to not withhold certain taxes, and not pay for health, retirement, and unemployment insurance benefits. In addition, misclassified employees can be denied access to protections they are entitled to by law, including minimum wage, overtime compensation, workers compensation coverage, and family and medical leave. The requirement is one of several in the bill applicable to state agencies with regulatory responsibilities. [See "Workforce Development -- Equal Rights."]

[Bill Section: 121]

Housing and Homelessness

1. AFFORDABLE WORKFORCE HOUSING GRANTS

GPR	\$50,000,000
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Governor: Create an affordable housing grant program and provide one-time funding of \$50,000,000 in 2021-22. Under the bill, grants would be awarded to municipalities (cities, villages, and towns) to increase the availability of affordable workforce housing. Authorize DOA to establish eligibility requirements and program guidelines for the grant program. According to the administration, the recommended funding level was based on similar efforts in other states and current demand for state and federal housing tax credits.

The administration indicates that similar programs in other states have funded initiatives such as: (a) capital subsidies for affordable housing developments; (b) operating subsidies for affordable housing developments; (d) acquisition and operation of moderate-cost rental units; (e) targeted efforts to create, preserve, and expand the supply of lower-cost housing types in resource-rich areas; (f) tenant-based rental assistance; (g) security deposit assistance; (h) down payment and closing cost assistance; and (i) foreclosure prevention assistance.

[Bill Sections: 116 and 475]

2. SHELTER FOR HOMELESS AND HOUSING GRANTS

GPR	\$12,600,000
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Governor: Provide \$6,300,000 annually to DOA's shelter for homeless and housing grants appropriation, which supports the housing assistance program (HAP) and the state shelter subsidy grant (SSSG) program. According to DOA, \$5,000,000 per year would be allocated to HAP, \$700,000 per year would be allocated to SSSG, and \$600,000 per year would be allocated for housing navigation grants, as recommended by the Interagency Council on Homelessness. The grants would be used to connect landlords and homeless persons to help secure housing faster.

Under 2019 Act 9, an additional \$1.2 million per year was reserved for HAP in the Joint Committee on Finance's supplemental appropriation, but has not yet been transferred to DOA. Under Act 9, \$500,000 per year was also reserved for SSSG. These funds were transferred to DOA under s. 13.10 of the statutes in February, 2020.

3. HOUSING QUALITY STANDARDS GRANT PROGRAM

GPR	\$4,000,000
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Governor: Create a housing quality standards grant program and provide \$2,000,000 annually. Under the bill, grants would be awarded to owners of rental housing units for purposes of satisfying applicable housing quality standards.

In November, 2018, the Interagency Council on Homelessness recommended the creation of a state-funded program to help landlords address quality deficiencies. Funding provided under the bill is consistent with the November, 2018, recommendations of the Interagency Council on Homelessness. Funds for this purpose were reserved in the Joint Committee on Finance's supplemental appropriation under 2019 Act 9 but have not yet been transferred to DOA.

[Bill Sections: 117 and 471]

4. HOUSING GRANTS AND LOANS

GPR	\$3,000,000
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Governor: Provide \$1,500,000 annually to DOA's housing grants and loans appropriation, which supports the housing cost reduction initiative homebuyer program, the homeless prevention program (HPP), and the critical assistance program. According to DOA, \$1,000,000 per year would be allocated to HPP, while \$500,000 per year would be used to establish a diversion program under HPP, as recommended by the Interagency Council on Homelessness. The diversion program would provide case management, rental subsidies, utility assistance, and other services to prevent homelessness. Under 2019 Act 9, an additional \$800,000 per year was reserved for HPP in the Joint Committee on Finance's supplemental appropriation, but the funds have not yet been transferred to DOA.

5. HOMELESS VETERAN RENTAL ASSISTANCE PROGRAM

GPR	\$2,000,000
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Governor: Create a rental assistance grant program for homeless veterans and provide \$1,000,000 annually. Specify that funds must be used to provide tenant-based rental assistance to homeless veterans. Tenant-based assistance is provided to individual households, rather than to particular building projects. According to DOA, the recommended funding level is based on reports from local agencies on the number of veterans seeking homelessness assistance.

Under the bill, grants would be awarded to each continuum of care (COC) designated by the U.S. Department of Housing and Urban Development. Wisconsin has four designated COC organizations: the Homeless Services Consortium of Dane County, the Milwaukee Continuum of Care, the Racine Continuum of Care, and the Wisconsin Balance of State Continuum of Care. The administration indicates that DOA would work with COCs, the Wisconsin Department of Veterans Affairs, and the U.S. Department of Veterans Affairs to distribute funding in accordance with the

number of eligible veterans in each community.

[Bill Sections: 118 and 472]

6. HOMELESS CASE MANAGEMENT SERVICES

PR	\$1,000,000
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Governor: Provide \$500,000 annually for the Homeless Case Management Services grant program. Increase the annual limit on grants from \$50,000 to \$75,000 per recipient, and eliminate the statutory restriction that limits the program to 10 grants per year. Funds are provided from the Department of Children and Families' federal temporary assistance for needy families program. A corresponding increase is provided under the TANF allocation. The administration indicates that the revised limit of \$75,000 is based on a review of prior applications and would be sufficient to ensure that assistance is available for agencies of various sizes throughout the state.

The program is currently authorized by statute to support 10 annual grants of \$50,000 to shelter facilities to provide intensive case management services to homeless families. Funds are used to provide intensive case management services to homeless families, including: (a) financial management services; (b) employment services, including connecting parents who are job training graduates or who have a recent work history with their local workforce development board and assisting them with using the job center website maintained by the Department of Workforce Development; (c) services intended to ensure continuation of school enrollment for children; and (d) services to enroll unemployed or underemployed parents in a food stamp employment and training program or in the Wisconsin Works program.

Funding provided under the bill is consistent with the November, 2018, recommendations of the Interagency Council on Homelessness. Funds for this purpose were reserved in the Joint Committee on Finance's supplemental appropriation under 2019 Act 9, but have not yet been transferred to DOA.

[Bill Sections: 119 and 976]

7. POSITIONS TO SUPPORT HOUSING INITIATIVES

Governor: Provide additional staff to the Division of Energy, Housing, and Community Resources to administer housing program expansions. Provide \$75,000 GPR and \$58,000 PR in 2021-22, \$75,000 GPR and \$77,400 PR in 2022-23, and 1.0 GPR position and 1.0 PR position annually. In 2020-21, the Division is authorized 25.2 positions.

	Funding	Positions
GPR	\$150,000	1.00
FED	- 270,800	- 2.00
PR	<u>135,400</u>	<u>1.00</u>
Total	\$14,600	0.00

Program revenue funds would be allocated from federal TANF funds. The increases would be offset by repealing the homeless employment program (Item #8), and by reducing DOA's federal aid for state operations appropriation (-\$116,000 FED in 2021-22, -\$154,800 FED in 2022-23, and -2.0 FED positions annually).

8. HOMELESS EMPLOYMENT PROGRAM REPEAL

GPR	- \$150,000
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Governor: Repeal the homeless employment program, created under 2017 Act 59, which provides grants to municipalities to connect homeless individuals with permanent employment. Under current law, the program is funded \$75,000 GPR annually and each recipient must contribute a match of at least \$50,000. The Department indicates that the program did not receive any applications in 2018-19 or 2019-20 because of the proportionally high match requirement.

[Bill Sections: 120 and 476]

Energy and Environment

1. ESTABLISH THE OFFICE OF SUSTAINABILITY AND CLEAN ENERGY

SEG	\$4,000,000
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Governor: Statutorily establish the Office of Sustainability and Clean Energy within the Department of Administration. The Office was established within DOA in 2019 by Executive Order #38. Provide one-time funding of \$4,000,000 SEG in 2021-22 from the environmental fund for clean energy research grants administered by the Office.

Clean Energy Grants. Provide \$4,000,000 SEG in 2021-22 from the environmental management account of the environmental fund for research grants to support clean energy production. The account funds: (a) recycling assistance to local governments; (b) administration of contaminated land cleanup and recycling programs; (c) debt service costs for general obligation bonds issued for state-funded cleanup of contaminated land and sediment and water pollution abatement programs; and (d) other environmental programs. Revenues are primarily received from solid waste tipping fees assessed on waste deposited in state landfills. The environmental management account had a closing unencumbered balance of \$18.9 million on June 30, 2020.

Other Responsibilities. The Office would also be responsible for: (a) promoting the development and use of clean and renewable energy; (b) advancing innovative solutions to improve the economy and environment, including initiatives that reduce carbon emissions, accelerate economic growth, and lower customer energy costs; (c) diversifying resources used to meet the energy needs of consumers and generate jobs through the expansion of the state's clean energy economy; (d) providing support to state agencies in developing or retrofitting infrastructure to reduce energy use and lessen impacts on air and water quality; (e) reporting on the status of existing clean and renewable energy efforts by the state, including economic development initiatives, and developing energy policy opportunities for consideration by the Governor and state agencies; (f) serving as the point of contact to assist businesses, local units of government, and nongovernmental organizations pursuing clean energy opportunities; (g) identifying and sharing information about clean energy funding and employment opportunities for private, state, and local governmental entities; and (h) taking other steps necessary to facilitate the above initiatives and to

address barriers to implementation. Further, the Office would provide technical assistance to non-state units of government to assist with planning and implementing energy efficiency and renewable resources and would be authorized to charge for such services. The Office would also be authorized to require a public utility to provide energy data regarding public schools. The Office would be required to consult with the Public Service Commission and permitted to request assistance from other agencies in providing assistance.

[Bill Sections: 70, 162, and 470]

2. ESTABLISH THE OFFICE OF ENVIRONMENTAL JUSTICE

	Funding	Positions
GPR	\$250,000	0.00
PR	<u>543,600</u>	<u>2.00</u>
Total	\$793,600	2.00

Governor: Establish the Office of Environmental Justice within DOA. Provide \$250,000 GPR in 2021-22 to create a technical assistance grant program. Provide \$396,000 PR in 2021-22, \$506,600 PR in 2022-23, and 4.0 PR positions annually (2.0 unclassified and 2.0 classified) for program administration. Funding and position authority would be offset in part by a reduction to DOA's enterprise resource planning system appropriation (-\$179,500 PR and -2.0 PR classified positions annually).

Program Administration. The bill would create an annual PR appropriation for Office administrative costs. Revenues would be provided from assessments to state agencies for the development of climate risk assessment and resiliency plans. The Office would be led by an unclassified director, appointed by the Secretary of Administration, and an unclassified chief resiliency officer responsible for overseeing state and local climate resiliency and risk planning. Both unclassified positions would be placed in executive salary group 3 (an annual salary range of \$76,315 to \$125,923 under the 2019-21 compensation plan). The 2.0 classified positions would serve as a policy initiatives advisor and as a policy analyst -- advanced.

Grant Program. Create a biennial appropriation and provide one-time funding of \$250,000 GPR in 2021-22 to provide climate risk assessment and resiliency plan technical assistance grants. The grant program would assist state agencies, local governments, and tribal governments with developing climate risk assessment and resiliency plans to become carbon-free by 2050.

Other Responsibilities. In addition to the grant program, the Office would be responsible for: (a) developing a statewide climate risk assessment and resiliency plan; (b) collaborating with state agencies and entities that serve vulnerable communities to address the impact of climate change; (c) analyzing grant opportunities and enforcement of environmental laws and regulations; (d) providing guidance to state entities to address environmental issues and concerns that affect primarily low-income and minority communities; and (e) creating an annual report on issues, concerns, and problems related to environmental justice.

[Bill Sections: 69, 94, 451, 463, 520, 521, 2502, and 2503]

3. TRANSFER ADMINISTRATION OF HIGH-VOLTAGE IMPACT FEES

Governor: Transfer administration of one-time environmental impact fees and annual impact fees for construction and operation of high-voltage transmission lines from DOA to the Public Service Commission (PSC). The bill would transfer all assets and liabilities, employees, employee status (permanent or otherwise), tangible personal property, contracts, rules and orders, and pending matters, as determined by the Secretary of DOA. [No positions are identified for transfer because there are no full-time employees associated with the program.]

Under current law, owners of high-voltage transmission lines make a one-time payment equal to 5% of the cost of the transmission line, and annual payments equal to 0.3% of the cost of the transmission line to DOA, which then distributes the amounts in a proportional manner to local governments affected by the transmission line.

[Bill Sections: 163 thru 168, 454, 456, 2419, and 9101(2)]

4. WATER UTILITY ASSISTANCE PROGRAM

	Funding	Positions
GPR	\$23,730,400	1.00

Governor: Create a water utility assistance program to help low-income households pay water bills. Provide \$10,170,200 in 2021-22, \$13,560,200 in 2022-23, and 1.0 position annually for program administration and assistance to households, as described below.

Program Administration. Require DOA to administer a water utility assistance program for low-income households. Authorize DOA to contract with a county department, local governmental agency, or private nonprofit organization to process applications and make payments. Create an annual appropriation and provide \$1,071,200 in 2021-22, \$1,428,200 in 2022-23, and 1.0 position annually for administration. The administration indicates that administrative costs would include upgrades to the energy assistance program's online system to include water utility assistance, technical assistance, and training for local agencies.

Application Procedure. Create a continuing appropriation and provide \$9,099,000 in 2021-22 and \$12,132,000 in 2022-23 for assistance to households. Specify that a household may apply for assistance through a county department, local governmental agency, or private nonprofit organization with which DOA contracts, using a form prescribed by DOA. Authorize DOA to reduce payments or suspend the processing of applications if, by February 1 of any year, the number of households applying for assistance exceeds the number anticipated. According to DOA, the recommended funding level is based on an analysis by the Public Service Commission estimating the statewide need for water utility assistance.

Eligibility. Specify that to be eligible for assistance, a household must consist of an individual or group living together as a single economic unit whose household income does not exceed 60% of the statewide median income. In 2020-21, for the home energy assistance program under DOA, this guideline is equivalent to \$57,464 annually for a household of four. A household would also be eligible if all members receive supplemental nutrition assistance benefits, supplemental security income, or state supplemental payments. Households in subsidized housing

who pay utility bills would be eligible, provided that the household income is within program limits. No assistance would be provided to those imprisoned in a state prison, juvenile correctional facility, or secured residential care center.

Crisis Assistance. Specify that households eligible for water utility assistance may also be eligible for crisis assistance. Authorize DOA to define the circumstances of a crisis, determine the amount of crisis assistance provided, and delegate administration to a county department, local governmental agency, or private nonprofit organization. Under current law, crisis assistance is provided to households at risk of experiencing a heating emergency. Program intake workers are employed by a variety of entities, including county social service agencies, to provide crisis services such as blankets, space heaters, and heating fuel.

[Bill Sections: 113, 473, and 474]

Personnel Management

1. JUNETEENTH HOLIDAY

Governor: Add June 19 to the list of holidays on which state offices of executive branch agencies (excluding UW System) are closed, and increase the number of annual paid holidays for non-UW executive branch employees from nine to 10. Specify that state offices would be closed the following day if June 19 falls on a Sunday. The provision would take effect on the January 1 after publication of the bill.

Require the administrator of the Division of Personnel Management (DPM) to include June 19 as a paid holiday in the proposal for adjusting compensation and employee benefits for UW System employees for 2021-23, which is submitted to the Joint Committee on Employment Relations (JCOER) for review and approval. The first paid holiday under the provision would be the June 19 that occurs after the 2021-23 compensation plan for UW System is adopted by JCOER.

In relation to this provision, compensation reserves provided for the 2021-23 biennium for state employee salaries and fringe benefits assume increases of \$1,880,100 GPR in 2021-22 and \$1,917,700 GPR in 2022-23 associated with the June 19 holiday.

Under current law, state offices of executive branch agencies are closed on Saturdays, Sundays, and the following holidays: (a) January 1; (b) the third Monday in January; (c) the last Monday in May; (d) July 4; (e) the first Monday in September; (f) the fourth Thursday in November; (g) December 24; (h) December 25; and (i) December 31. Also under current law, state offices are closed the following day if January 1, July 4, or December 25 falls on a Sunday.

[Bill Sections: 2517 thru 2519, 9147(5), and 9401(1)]

2. STATE EMPLOYEE PARENTAL LEAVE

Governor: Require the administrator of DPM to develop and recommend to JCOER a program that provides paid parental leave to employees whose compensation is established under the state employee compensation plan (including state constitutional and elected officials, and justices and judges), as well as deputy and assistant district attorneys, assistant state public defenders, and assistant attorneys general. Specify that, if this paid parental leave program were approved by JCOER, it would become effective immediately.

Require the Board of Regents of the UW System to submit to the administrator of DPM a plan for a program to provide paid parental leave to UW employees, along with its recommendations for adjustments to compensation and employee benefits for UW employees for 2021-23. The plan would be subject to approval by JCOER.

In relation to this provision, compensation reserves for the 2021-23 biennium for state employee salaries and fringe benefits include increases of \$1,827,200 GPR in 2021-22 and \$1,842,400 GPR in 2022-23. The amounts assume that six weeks of paid leave would be made available to employees specifically for parental leave purposes.

Under current law, state employees may be eligible to take family and medical leave, including for the birth or placement of a child, under either the Wisconsin Family and Medical Leave Act, the federal Family and Medical Leave Act (FMLA), or both. In general, state and federal FMLA leave is unpaid, though law permits the substitution of paid leave for unpaid leave in many cases. State employees other than limited-term employees are eligible for several types of paid leave, including annual leave, sabbatical leave, legal holidays, personal holidays, and sick leave. Paid leave balances, other than sabbatical leave and sick leave, do not carry over from year to year. Employees taking FMLA leave may substitute any of these types of paid leave for unpaid leave.

[Bill Sections: 2507, 9101(5), and 9147(7)]

3. SICK LEAVE FOR LIMITED-TERM EMPLOYEES

Governor: Provide that limited-term employees in the executive branch, excluding UW System, accrue sick leave at the same rate as permanent and project state employees, subject to proration if the employee works less than full-time.

In relation to this provision, compensation reserves provided for the 2021-23 biennium for state employee salaries and fringe benefits assume increases of \$1,081,100 GPR annually associated with limited-term employee sick leave.

Under current law, limited-term employees are not eligible for tenure, vacation, paid holidays, sick leave, performance awards, or the right to compete in promotional processes. Sick leave for permanent and project employees is accrued at the rate of 0.0625 hour per hour in pay status, not to exceed five hours in a biweekly pay period. For a full-time employee working 2,080 hours per year, this equates to 130 hours of sick leave on an annual basis. Limited-term appointments are provisional appointments or appointments for less than 1,040 hours per year. An

employee working 1,040 hours per year would earn 65 hours of sick leave on an annual basis.

[Bill Sections: 2510 and 2516]

4. EQUAL OPPORTUNITY INTERNSHIP PROGRAM

PR	\$465,600
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Governor: Provide \$232,800 annually to the Division of Personnel Management's (DPM) general program operations appropriation to fund an equal opportunity paid internship program. Funding provided would be for intern stipends (limited-term employee salaries), associated payroll taxes, and supplies and services (to pay standard DOA assessments charged per employee). The source of funding for the appropriation is assessments to state agencies for personnel management services.

Require DPM to establish a program under which it places up to 16 interns annually with executive branch agencies and members of the Legislature, upon the written request of the agency or legislator and upon approval by DPM. Specify that each intern must be paid a stipend of at least \$15 per hour, for up to 20 hours of work per week, for services provided to the state agency or legislator. Stipends would be paid from DPM's general program operations appropriation. Specify that any stipend received by an intern is to be disregarded in establishing household income for the purposes of obtaining public benefits under any state program. Define "low-income household" to mean a household having an income that does not exceed 300% of the federal poverty line based on family size (\$79,500 for a family of four in 2021). It should be noted that the bill does not specify that an intern must be from a low-income household. However, the administration indicates that the intent of the provision is to require that each intern be from a low-income household, utilizing the definition created in the bill.

[Bill Sections: 100 and 466]

5. STATE EMPLOYEE VACATION HOURS

Governor: Modify the amounts of paid annual leave provided to executive branch employees other than limited-term employees (excluding UW System) based on accumulated continuous state service, as follows:

a. Reduce from five years to two years the initial service period for which employees covered by the federal Fair Labor Standards Act (FLSA) are provided 104 hours each year for a full year of service and FLSA-exempt employees are provided 120 hours each year for a full year of service.

b. Create a new service period three years in length, following the first two years, for which covered employees would be provided 120 hours each year and FLSA-exempt employees would be provided 136 hours each year.

c. Specify that, when the rate of annual leave changes during the second calendar year, the annual leave for that year would be prorated, consistent with current law provisions that apply to the fifth, tenth, fifteenth, twentieth, or twenty-fifth calendar year.

Specify that the modifications would first apply to an employee's anniversary of service that occurs on the effective date of the bill.

The bill would maintain the annual leave structure that exists for six years of service and beyond.

In relation to this provision, compensation reserves provided for the 2021-23 biennium for state employee salaries and fringe benefits assume increases of \$121,400 GPR in 2021-22 and \$123,800 GPR in 2022-23 associated with modifications to non-UW executive branch employee vacation allowance by years of service.

Under current law, covered employees receive 104 hours each year for the first five years and 144 hours each year for the next five years, while FLSA-exempt employees receive 120 hours each year for the first five years and 160 hours each year for the next five years. The bill would reduce the first service period by three years, create a level of annual leave between the first two existing annual leave amounts (120 hours and 136 hours, respectively), and set the service period for the new category at three years. Thus, under the bill, annual leave would increase more gradually during the first five years of service than under current law.

[Bill Sections: 2511 thru 2515 and 9301(2)]

6. HUMAN RESOURCES POSITION ADJUSTMENTS

	Positions
PR	0.60

Governor: Modify funding and position authority under DPM's general program operations appropriation as follows: (a) provide 0.60 position annually; (b) provide \$87,800 annually for salaries and fringe benefits; and (c) delete \$87,800 annually from supplies and services.

Under 2017 Act 59, human resources positions and functions were transferred from most executive branch agencies to the Division of Personnel Management in DOA. The modifications above would provide for: the transfer of positions that continue to perform personnel management functions in other agencies to DOA (0.6 PR position from Workforce Development and 1.0 PR position from Health Services); and the transfer of 1.0 PR position that is not performing personnel management functions from DOA to Transportation. Funding in Health Services and Workforce Development associated with the positions would be transferred from salaries and fringe benefits to supplies and services, to pay assessments to DOA for services provided. Funding in Transportation would be transferred from supplies and services to salaries and fringe benefits to support the position being transferred from DOA. As of March 5, 2021, the positions identified for transfer were filled. The bill does not provide for the transfer of any incumbent employees or employment rights of such employees who might occupy the positions. [See "Health Services -- Departmentwide," "Transportation -- Departmentwide," and "Workforce Development -- Departmentwide."]

Information Technology

1. ESTABLISHING THE OFFICE OF DIGITAL TRANSFORMATION

	Funding	Positions
PR	\$2,312,700	1.00

Governor: Create an Office of Digital Transformation within DOA to manage data analytics and coordinate digital resources across state government, as described below.

Office Administration. Provide \$257,800 in 2021-22, \$377,300 in 2022-23, and 3.0 positions annually (1.0 unclassified and 2.0 classified) to DOA's appropriation for IT services to state agencies for Office administration. In addition, 2.0 vacant classified positions would be reallocated from within the IT services appropriation to assist the Office. Funding and position authority would be offset, in part, by a reduction to DOA's justice information systems appropriation (-\$111,900 and -1.0 position annually) and enterprise resource planning system appropriation (-\$99,300 and -1.0 position annually). Funding would be provided by charges to state agencies.

The Office would be led by an unclassified director, appointed by the Secretary of Administration and placed in executive salary group 4 (an annual salary range of \$82,430 to \$136,011 under the 2019-21 compensation plan). Of the classified positions, 3.0 would serve as information systems enterprise technical services specialists and 1.0 would serve as an information systems enterprise technical services consultant.

Enterprise Data Management and Analytics Program. Provide supplies and services funding of \$1,600,000 in 2021-22 and \$500,000 in 2022-23 for the purchase of hardware and software, maintenance activities for the data platform, initial funding for data analytics projects, system integration efforts, and other contractual services. Authorize the Office to establish a statewide program to compile and analyze data provided by state agencies. The program would be authorized to use data to evaluate the outcomes of state-funded programs; develop and implement policies and strategies that promote the effective, efficient, and best use of state resources; and identify, prevent, or eliminate the fraudulent use of state resources. Agencies would be required to provide data at the Office's request. The bill includes measures relating to the protection of confidential data, including a requirement that the Office establish a security plan and data-sharing protocol in consultation with agencies.

Front Door Initiative. According to the administration, the Office would also be directed to establish a Wisconsin Front Door services hub, an online portfolio of state resources in a consolidated and centralized format. The hub would identify eligibility for state assistance based on each user's needs. A user would create an account, provide demographic and location information, and be linked to agency services such as workforce development, energy and housing assistance, health and human services, and licensing programs.

[Bill Sections: 71, 170, 523, and 2504]

2. OPIOID AND METHAMPHETAMINE DATA SYSTEM

GPR	\$1,500,000
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Governor: Require DOA to issue a request for proposals to build and maintain an opioid and methamphetamine data system to collect, analyze, and disseminate information on opioid and methamphetamine use. The system would be managed by the Office of Digital Transformation (see item #1) and provided one-time funding of \$1,500,000 in 2021-22 for implementation. The funding would support system development and initial implementation costs. The data system requirements and funding are based on the provisions of 2021 Assembly Bill 41/Senate Bill 49.

The data system would be required to include the following: (a) hospital discharge data from visits and stays related to opioid and methamphetamine use or overdose; (b) records of hospitals diverting patients to other facilities to address opioid and methamphetamine use or overdose; (c) ambulance service run data related to opioid use or overdose; (d) the number of opioid- and methamphetamine-related overdoses in the state, the number of individuals who overdose, and the opioids and forms of methamphetamines on which the individuals overdose; (e) death records related to opioid and methamphetamine use or overdose; (f) the number of opioid and methamphetamine treatment centers in the state, by the owner or operator of each treatment center; (g) the number of providers in the state that are allowed to prescribe a drug that is a combination of buprenorphine and naloxone, the patient capacity for those prescribers, the number of patients taking such a combination drug, and the number of patients who have discontinued such a combination drug due to successful completion of a treatment program; (h) the number of methadone clinics in the state, the number of patients taking methadone, the number of patients who more than once have been on courses of methadone, the number of patients who have discontinued methadone use due to successful completion of a treatment program, and the number of patients who are receiving methadone treatment for longer than each of the following durations: 12 months, 3 years, 4 years, 5 years, 8 years, and 10 years; (i) the amount of naloxone doses dispensed, the total number of naloxone doses administered, and the number of unique patients who have received doses of naloxone; (j) the number of adults in the state who use opioids and methamphetamines, the extent to which those adults use opioids and methamphetamines, and the type of opioids and forms of methamphetamines used; (k) the number of minors in the state who use opioids and methamphetamines, the extent to which those minors use opioids and methamphetamines, and the type of opioids and forms of methamphetamines used; (l) the number of minors who enter the child protective services system due to opioid use by a parent or guardian, length of time those minors are in out-of-home care, and the type of reporter who notified child protective services of the needs of the minor; (m) the number of persons who are incarcerated and who are receiving naltrexone for extended-release in injectable suspension; the number of persons who are on extended supervision, probation, or parole and who are receiving extended-release naltrexone; the total number of doses of extended-release naltrexone administered to persons who are incarcerated or on extended supervision, probation, or parole; and the length of time that persons who are incarcerated or on extended supervision, probation, or parole are receiving extended-release naltrexone; (n) the number of arrests and convictions related to methadone and the number related to a drug that is a combination of buprenorphine and naloxone; and (o) the number of arrests and convictions related to methamphetamines. Also, when applicable, the system would be required to identify the number of individuals who have public health care coverage, private health coverage, self-coverage, or no health insurance.

The bill would require DOA to collaborate with, and collect data from, the Departments of Children and Families, Corrections, Health Services, Justice, Safety and Professional Services, and any other applicable agencies. Agencies that submit data would have access to the data in the system as appropriate to fulfill agency functions and as allowed by confidentiality laws. The bill would further require DOA to administer the contract with the vendor to operate the system, have access to the data in the system, and work with the vendor to disseminate information and analytics in as close to real time as possible. By January 1, 2023, and annually thereafter, DOA would be required to submit a report to the Governor and the appropriate standing committees of the Legislature summarizing information and analyzing trends from the data system.

[Bill Sections: 2288 and 9101(3)]

3. TEACH PROGRAM MODIFICATIONS

Governor: Modify administration of the Technology for Educational Achievement (TEACH) program as follows:

Specify that DOA may not charge educational agencies more than \$100 per month for each data line that operates at a speed of 1 gigabit per second or less, rather than 1.544 megabits per second or less as under current law. The provision would apply on the effective date of the bill.

Require DOA to ensure that a participating educational agency uses data lines and bandwidth primarily for educational purposes. Repeal statutory language that: (a) prohibits a participating educational agency from providing data line access to any business entity (unless certain conditions are met, including reimbursement under some circumstances) or requesting additional access for a political subdivision under a shared service agreement; and (b) authorizes a participating public library board to enter into a shared service agreement with a political subdivision to provide access to excess bandwidth (subject to certain conditions). The Department indicates that these changes are intended to comply with federal regulations related to competitive bidding requirements for schools and libraries that receive federal universal service support, including federal e-rate reimbursement. Federal regulations require that the supported services be used primarily for educational purposes, and participants may not sell, resell, or transfer service in consideration for money or any other thing of value.

In addition, eliminate obsolete statutory language related to administration of the educational technology infrastructure financial assistance program, a loan program that sunset in 2003.

[Bill Sections: 186 thru 191, 458, 459, 2404, and 9301(1)]

4. TEACH GRANTS FOR IT INFRASTRUCTURE

Governor: Modify administration of the information technology (IT) infrastructure grants provided under the TEACH program as follows:

Extend the June 30, 2021, sunset date for the IT infrastructure grant program to June 30,

2025. In the second year of each fiscal biennium, authorize DOA to award any unspent allocations from the first year of the biennium, such that DOA may award a total of \$6,000,000 during the biennium. Require DOA to provide all eligible school districts and public libraries information on how to apply for the grant program at least annually.

Specify that a school district's eligibility is based on membership in the most recent school year for which finalized data is available, instead of membership in the previous year. Further, specify that eligibility for public libraries, library branches, and school districts is determined in the first year of a fiscal biennium. Specify that a public library or library branch is eligible if it: (a) is in a municipality with a population of 20,000 or less; and (b) is in a "rural territory," located outside of an area classified as "urban" by the U.S. Census Bureau. The Department indicates that these modifications are intended to provide clarity in eligibility determinations.

Under current law, the Department may award up to \$3,000,000 annually in 2019-20 and 2020-21 to rural school districts, public libraries, and library branches to improve IT infrastructure. Under 2019 Act 9, the sunset date for the program was extended from July 1, 2019, to June 30, 2021. Eligibility for school districts is based on membership in the previous year. Under current law, a public library or library branch is eligible if it: (a) is in a municipality with a population of 20,000 or less; (b) is in a municipality defined as rural by the U.S. Census Bureau; and (c) meets additional criteria based on distance from an urbanized area or urban cluster. The bill would modify the definition of rural under (b) to refer to an area outside an urban area, as provided by the U.S. Census Bureau, and delete criteria under (c).

[Bill Sections: 172 thru 185]

5. ASSISTANCE WITH AUTOMATIC VOTER REGISTRATION

Governor: Require DOA to assist the Elections Commission with information technology systems development to facilitate the registration of all eligible electors in the state. [See "Elections Commission."]

[Bill Section: 169]

Procurement and Risk Management

1. DIVERSITY GOALS FOR STATE PROCUREMENT AND CERTAIN SPECIAL DISTRICTS

Governor: Repeal statutory provisions allowing DOA to charge a fee to a business that applies for certification under the supplier diversity program. Expand the program to include certification for businesses owned by individuals with disabilities and businesses owned by

	Funding	Positions
GPR	\$494,000	3.00
FED	- 160,400	- 1.00
PR	- 422,000	- 2.00
Total	- \$88,400	0.00

lesbian, gay, bisexual, or transgender individuals. Modify provisions that establish diversity goals and bidding preferences for state procurement, contracts, and construction and goals that apply to certain special districts to include the new certification categories.

The program currently provides certification and preferences in state agency contracting for disabled veteran-owned and minority businesses, and provides certification for woman-owned businesses. Under current law, DOA may charge a fee to each entity applying for certification.

Business Certifications

Provide \$216,000 GPR in 2021-22, \$278,000 GPR in 2022-23, and 3.0 GPR positions annually to support the program expansion. To offset costs, the bill would reduce DOA's appropriations for federal aid for state operations (-\$80,200 FED and -1.0 FED position annually), materials and services to state agencies (-\$80,200 PR and -1.0 PR position annually), and facility operations and maintenance (-\$99,300 PR and -1.0 PR position annually). As a result of repealing the certification fee, the bill would also repeal DOA's disabled veteran-owned, woman-owned, and minority business certification fees appropriation (-\$31,500 PR annually).

Under the bill, DOA may certify a business, financial advisor, or investment firm as a "disability-owned business" if it determines that all of the following are satisfied: (a) one or more individuals with a disability own at least 51% of the business or, in the case of any publicly owned business, one or more individuals with a disability own at least 51% of the stock of the business; (b) one or more individuals with a disability or one or more duly authorized representatives of one or more individuals with a disability control the management and daily business operations of the business; (c) the business has its principal place of business in this state; and (d) the business is currently performing a useful business function.

Under the bill, DOA may certify a business, financial advisor, or investment firm as a lesbian, gay, bisexual, or transgender-owned entity if it determines that all of the following are satisfied: (a) one or more lesbian, gay, bisexual, or transgender individuals own at least 51% of the business or, in the case of any publicly owned business, one or more lesbian, gay, bisexual, or transgender individuals own at least 51% of the stock of the business; (b) one or more lesbian, gay, bisexual, or transgender individuals or one or more duly authorized representatives of one or more lesbian, gay, bisexual, or transgender individuals control the management and daily business operations of the business; (c) the business has its principal place of business in this state; and (d) the business is currently performing a useful business function.

State Procurement

The bill would require state agencies making purchases to attempt to ensure that at least 1% of the amount expended in each fiscal year is paid to businesses owned by individuals with disabilities and at least 1% is paid to lesbian, gay, bisexual, or transgender-owned businesses. A certified firm would be eligible for a 5% bid preference on state purchases, meaning that an agency may purchase from a certified firm that submits a qualified, responsible, and competitive bid that is no more than 5% higher than the lowest responsible bid (alternatively, a competitive proposal that is no more than 5% higher than the most advantageous proposal). [Under current law, agencies must attempt to ensure at least 5% is paid to minority businesses and at least 1% is paid to disabled

veteran-owned businesses. Both entities are eligible for a 5% bid preference.] The Department would be required to promulgate administrative rules relating to certification of businesses. Under both current law and the bill, DOA would be required to maintain a computer database of all certified businesses.

Other Provisions

The bill would expand diversity requirements under current law that relate to services procured, debt contracted, contracts awarded, sales made, and employees hired by certain state entities and special districts to also include goals for businesses owned by individuals with disabilities and by lesbian, gay, bisexual, or transgender individuals. Wherever a percentage of amounts expended, contracts, sales, or employees is specified, the amounts applied would be 1% for businesses owned by individuals with disabilities and 1% for businesses owned by lesbian, gay, bisexual, or transgender individuals. The following entities would be affected: the State Building Commission, State of Wisconsin Investment Board, Department of Transportation, metropolitan sewerage district commissions, local exposition districts, local professional baseball park districts, local professional football stadium districts, and local cultural arts districts.

[Bill Sections: 104 thru 110, 126 thru 143, 148 thru 155, 158 thru 161, 200 thru 244, 455, 596 thru 598, 601 thru 609, 1470 thru 1478, 1498 thru 1500, 2443 thru 2448, 2466 thru 2469, 2472 thru 2492, and 2494 thru 2497]

2. RISK MANAGEMENT AND EXCESS INSURANCE

PR	\$24,000
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Governor: Create a continuing appropriation for payment of excess insurance premiums under the state risk management program and estimate expenditures at \$7,301,900 annually. Reduce expenditure authority for the appropriation for risk management administration, which currently funds excess insurance premiums, by -\$7,301,900 annually. Funding for excess insurance premiums would continue to be funded by assessments to state agencies. In addition, provide \$12,000 annually to DOA's risk management administration appropriation to support increased costs associated with a third party administrator contract that supports the review of claims.

The state's risk management program is self-funded to insure state agencies against property, liability, and worker's compensation losses. The state also purchases excess coverage from private insurance carriers for losses that exceed self-funded coverage. Currently, both excess insurance premiums and program administration are supported through an annual sum certain appropriation, funded by assessments to state agencies. According to DOA, creating a separate appropriation for insurance premiums would allow the agency to respond to market-dependent premium costs while continuing to maintain limits on funds spent for program administration.

[Bill Sections: 156, 157, and 469]

3. SERVICES TO NON-STATE ENTITIES FOR RISK MANAGEMENT, PROCUREMENT, SUSTAINABILITY, AND CLEAN ENERGY

PR	\$4,000
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Governor: Authorize DOA to provide educational services regarding procurement and risk management, including seminars, courses, or conferences, to local governmental units and private organizations. Create a continuing appropriation with estimated expenditures of \$2,000 annually for services relating to risk management, procurement, and technical assistance provided by the Office of Sustainability and Clean Energy to local governmental units and private organizations.

As a continuing PR appropriation, DOA would be authorized to spend any amount necessary, provided that revenues are sufficient. Revenues would be generated from fees charged to non-state entities to cover the costs of services. Currently, such fees are processed through the administrative appropriations for DOA's risk management and procurement programs.

[Bill Sections: 92 and 457]

4. GREEN PROCUREMENT REPORT

Governor: Require the State Bureau of Procurement to develop a plan to expand the use of green and environmentally friendly procurement practices and to submit a written plan to the Governor by June 30, 2022.

[Bill Section: 9101(4)]

5. FOREIGN LANGUAGE TRANSLATION

Governor: Require the State Bureau of Procurement to amend existing contracts or enter into at least one contract for contractual services to provide written foreign language translation for executive branch agencies by September 1, 2022. Specify that any such contract must require a 24-hour maximum period for completing a translation from a foreign language to English.

The Bureau's current contract for written translation services expires on October 31, 2022. Under the current contract, the deadline for translations is: (a) one day for 1,000 words or less; (b) five days for 5,000 words or less; and (c) 15 days for other assignments, as determined at the time of engagement. Types of documents translated include agency publications such as information, guidance, and brochures.

[Bill Section: 9101(6)]

Division of Gaming

1. TRIBAL GAMING APPROPRIATIONS AND GENERAL FUND REVENUE

GPR-Tribal \$27,216,200

Governor: Deposit tribal gaming revenues of \$2,029,800 in 2021-22 and \$25,186,400 in 2022-23 into the general fund. In addition, appropriate \$25,172,500 in 2021-22 and \$36,255,400 in 2022-23 in tribal gaming revenue paid to the state under the tribal gaming compacts. The appropriations include: (a) appropriations for the regulation of tribal gaming in DOA [\$2,079,100 in 2021-22 and \$2,079,300 in 2022-23]; (b) tribal gaming law enforcement in the Department of Justice (DOJ) [\$200,300 annually]; and (c) allocations totaling \$22,893,100 in 2021-22 and \$33,975,800 in 2022-23 to various state agencies for other programs.

Tribal revenue paid to the state is based on provisions under the current state-tribal gaming compacts. Under the compacts, tribes are scheduled to make payments to the state based on a percentage of net revenue (gross revenue minus winnings). The percentages used to calculate state payments vary by tribe and, in some cases, may vary by year for the same tribe.

Under current law, Indian gaming receipts are credited to: (a) the DOA general program operations appropriation relating to Indian gaming regulation; (b) the DOJ Indian gaming law enforcement appropriation; and (c) a DOA appropriation for Indian gaming receipts in the amount necessary to make all the transfers specified to other programs. Indian gaming receipts not otherwise credited to, or expended from, these appropriations are deposited in the general fund.

Under the compacts, payments to the state may be proportionally reduced in the event of a natural or man-made disaster that affects gaming operations. In 2019-20, payments were postponed because of casino closures during the COVID-19 pandemic. As a result, DOA's gaming receipts appropriation is expected to have a closing balance of -\$28,430,900 in 2020-21. Tribes are scheduled to submit the postponed 2019-20 payment in three installments (in 2021-22, 2022-23, and 2023-24). These scheduled payments are included in the estimated tribal payments for the 2021-23 biennium. The calculation for the general fund tribal revenue under the bill is summarized in the following table.

General Fund Revenue, Tribal Gaming

	<u>2021-22</u>	<u>2022-23</u>
Opening Balance	-\$28,430,900	\$0
Estimated Tribal Payments	\$54,897,100	\$60,458,100
Regulatory Payments	350,000	350,000
Vendor Certification Revenue	140,600	140,600
Unobligated Funds Reversions	<u>300,000</u>	<u>600,000</u>
Total Revenue	\$55,687,700	\$61,548,700
Program Allocations to State Agencies	\$25,172,500	\$36,255,400
Program Reserves	54,500	106,900
Tribal Gaming General Fund Revenue	\$2,029,800	\$25,186,400

As noted, allocations under the bill to state agencies, including allocations to DOA and DOJ for regulation and law enforcement, total \$25,172,500 in 2021-22 and \$36,255,400 in 2022-23 under the bill. Under the bill, the Governor recommends the appropriation of tribal gaming revenue to 18 state agencies in 52 program areas, including the DOA regulation and DOJ enforcement appropriations. Each of these program areas is listed and briefly described in the following table. Where there is a net fiscal change associated with any of these appropriations (other than standard budget adjustments), it is included under the budget summaries of the affected agency.

Of the 52 program allocations, 28 are identical amounts to those provided in the 2019-21 biennium. Of the 24 allocations that changed, 10 were affected by standard budget adjustments only [identified in the table below as items #14, #23, #24, #28, #29, #31, #44, #46, #51, and #52]. The remaining 14 are:

- a. Tribal grants [item #1, create an appropriation and provide \$11.0 million in 2022-23 to award grants to federally recognized tribes and bands];
- b. Tourism marketing contract [item #2, create an appropriation and provide \$400,000 annually to promote tourism featuring Native American heritage and culture];
- c. Director of Native American affairs [item #3, create an appropriation for tribal relations and provide \$125,600 in 2021-22, \$160,100 in 2022-23, and 1.0 position annually];
- d. Tribal youth wellness center [item #4, increase of \$350,000 annually];
- e. UW-Green Bay and Oneida Tribe programs assistance grants [item #6, increase of \$109,300 annually];
- f. Technical assistance program [item #7, increase of \$110,000 annually];
- g. Wisconsin grant program for tribal college students [item #21, increase of \$48,200 in 2021-22 and \$96,400 in 2022-23];

- h. Management of an elk reintroduction program [item #32, convert \$128,700 and 0.5 positions annually from tribal gaming revenue to the conservation fund];
- i. Reintroduction of whooping cranes [item #34, convert \$83,000 and 0.5 positions annually from tribal gaming revenue to the conservation fund];
- j. State snowmobile enforcement program [item #35, convert \$1,284,900 and 9.0 positions annually from tribal gaming revenue to the conservation fund];
- k. Grants to replace race-based nicknames, logos, mascots, or team names associated with American Indians [item #36, create an appropriation and provide \$200,000 annually for grants to school boards];
- l. General tourism marketing [item #39, convert \$4,300,000 annually from tribal gaming revenue to general purpose revenue and transfer \$200,000 annually to DOA for administration of a tourism marketing contract];
- m. Elderly transportation grants [item #42, convert \$435,600 annually from tribal gaming revenue to the transportation fund];
- n. Tribal economic development [item #50, create an appropriation and provide \$390,000 annually for economic development grants to Native American small business owners].

2021-23 Tribal Gaming Revenue Appropriations -- Governor

	<u>Agency</u>	<u>Program Revenue</u>		<u>Purpose</u>
		<u>2021-22</u>	<u>2022-23</u>	
1	Administration	\$0	\$11,000,000	Tribal grants.
2	Administration	400,000	400,000	Tourism marketing contract.
3	Administration	125,600	160,100	Tribal relations.
4	Administration	350,000	350,000	Youth treatment wellness center.
5	Administration	563,200	563,200	County management assistance grant program.
6	Administration	356,800	356,800	UW-Green Bay and Oneida Tribe programs assistance grants.
7	Administration	189,500	189,500	Tribal governmental services and technical assistance.
8	Children and Families	1,867,500	1,867,500	Tribal family services grants.
9	Children and Families	717,500	717,500	Indian child high-cost out-of-home care placements.
10	Corrections	50,000	50,000	American Indian tribal community reintegration program.
11	Health Services	961,700	961,700	Medical assistance matching funds for tribal outreach positions and federally qualified health centers (FQHC).
12	Health Services	712,800	712,800	Health services: tribal medical relief block grants.
13	Health Services	445,500	445,500	Indian substance abuse prevention education.
14	Health Services	500,000	500,000	Elderly nutrition; home-delivered and congregate meals.
15	Health Services	250,000	250,000	Reimbursements for high-cost mental health placements by tribal courts.
16	Health Services	242,000	242,000	Indian aids for social and mental hygiene services.
17	Health Services	106,900	106,900	American Indian health projects.
18	Health Services	22,500	22,500	American Indian diabetes and control.
19	Health Services	0	0	Minority health program and public information campaign grants.
20	Higher Education Aids Board	779,700	779,700	Indian student assistance grant program for American Indian undergraduate or graduate students.
21	Higher Education Aids Board	530,000	578,200	Wisconsin Grant Program for tribal college students
22	Higher Education Aids Board	405,000	405,000	Tribal College Payments
23	Historical Society	229,800	229,800	Northern Great Lakes Center operations funding.
24	Historical Society	317,800	317,800	Collection preservation storage facility.
25	Justice	695,000	695,000	Tribal law enforcement grant program.
26	Justice	631,200	631,200	County-tribal law enforcement programs: local assistance.
27	Justice	490,000	490,000	County law enforcement grant program.
28	Justice	123,900	123,900	County-tribal law enforcement programs: state operations.
29	Kickapoo Valley Reserve Board	73,600	73,600	Law enforcement services at the Kickapoo Valley Reserve.
30	Natural Resources	3,000,000	3,000,000	Transfer to the fish and wildlife account of the conservation fund.
31	Natural Resources	174,700	174,700	Management of state fishery resources in off-reservation areas where tribes have treaty-based rights to fish.
32	Natural Resources	0	0	Management of an elk reintroduction program.

	<u>Agency</u>	<u>Program Revenue</u>		<u>Purpose</u>
		<u>2021-22</u>	<u>2022-23</u>	
33	Natural Resources	\$84,500	\$84,500	Payment to the Lac du Flambeau Band relating to certain fishing and sports licenses.
34	Natural Resources	0	0	Reintroduction of whooping cranes.
35	Natural Resources	0	0	State snowmobile enforcement program, safety training and fatality reporting.
36	Public Instruction	200,000	200,000	Grants to replace race-based nicknames, logos, mascots, or team names associated with American Indians.
37	Public Instruction	222,800	222,800	Tribal language revitalization grants.
38	Public Instruction	0	0	Tribal language revitalization grants, program operations.
39	Tourism	4,267,100	4,267,100	General tourism marketing, including grants to nonprofit tourism promotion organizations and specific earmarks.
40	Tourism	160,000	160,000	Grants to local organizations and governments to operate regional tourist information centers.
41	Tourism	24,900	24,900	State aid for the arts.
42	Transportation	0	0	Elderly transportation grants.
43	University of Wisconsin System	417,500	417,500	Ashland full-scale aquaculture demonstration facility operational costs.
44	University of Wisconsin System*	254,500	254,500	Ashland full-scale aquaculture demonstration facility debt service payments.
45	University of Wisconsin-Madison	488,700	488,700	Physician and health care provider loan assistance.
46	Veterans Affairs	100,800	100,800	American Indian services veterans benefits coordinator position.
47	Veterans Affairs	61,200	61,200	Grants to assist American Indians in obtaining federal and state veterans benefits and to reimburse veterans for the cost of tuition at tribal colleges.
48	Wisconsin Technical College System Board	594,000	594,000	Grants for work-based learning programs.
49	Workforce Development	314,900	314,900	Vocational rehabilitation services for Native American individuals and American Indian tribes or bands.
50	Wisconsin Economic Development Corporation	<u>390,000</u>	<u>390,000</u>	Tribal economic development.
	Subtotal (Non-Regulatory Items)	\$22,893,100	\$33,975,800	
51	Administration	\$2,079,100	\$2,079,300	General program operations for Indian gaming regulation under the compacts.
52	Justice	<u>200,300</u>	<u>200,300</u>	Investigative services for Indian gaming law enforcement.
	Subtotal (Regulation/ Enforcement)	\$2,279,400	\$2,279,600	
	Total Appropriations	\$25,172,500	\$36,255,400	

*The tribal gaming general fund revenue calculation under the bill did not include a debt service reestimate of \$2,000 in 2021-22 and -\$57,800 in 2022-23 for the aquaculture demonstration facility. Under the bill, the appropriation would be provided \$256,500 in 2021-22 and \$196,700 in 2022-23 to reflect debt service reestimates.

[Bill Section: 478]

2. NATIVE AMERICAN ASSISTANCE GRANTS

PR	\$11,000,000
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Governor: Provide \$11,000,000 in 2022-23, funded by tribal gaming revenues, to award grants of equal amounts to the 11 federally-recognized tribes and bands in the state to meet the needs of members. Grant funds could not be used to pay gaming-related expenses.

[Bill Sections: 99, 460, and 484]

3. NATOW CONTRACT TRANSFER

PR	\$800,000
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Governor: Create an annual appropriation, funded by tribal gaming revenues, for American Indian tourism marketing. Transfer administration of the Native American Tourism of Wisconsin (NATOW) marketing contract and \$400,000 annually from the Department of Tourism to DOA. Require DOA to award the amount appropriated to the Great Lakes Inter-Tribal Council (GLITC).

Currently, Tourism administers \$200,000 each year under contract with NATOW, a part of GLITC, for marketing tribal destinations and producing promotional materials. The administration indicates additional funding would aid in the economic recovery of tribal tourism. Funds are intended to increase NATOW's technical assistance capacity and to identify recovery initiatives and marketing strategies for tribal entities. [See "Tourism."]

[Bill Sections: 111, 112, 464, 482, and 9143(1)]

4. TRIBAL YOUTH WELLNESS CENTER

PR	\$700,000
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Governor: Provide \$350,000 annually, funded by tribal gaming revenues, to build a youth substance abuse and mental health treatment center led by the Great Lakes Inter-Tribal Council. Modify DOA's existing appropriation for the center to repeal the limitation that funds may only be used to create architectural plans. Under 2019 Act 9, one-time funding of \$640,000 was provided to create architectural plans for the center. Additional funds would be used to develop operational plans, complete program design, and secure a suitable location for the center.

[Bill Section: 461]

5. DIRECTOR OF NATIVE AMERICAN AFFAIRS

	Funding	Positions
PR	\$285,700	1.00

Governor: Create an unclassified position to serve as the Director of Native American Affairs, responsible for managing relations between the state and tribes. Provide \$125,600 in 2021-22, \$160,100 in 2022-23, and 1.0 position annually, funded by tribal gaming revenues. The position would be placed in executive salary group 3 (a salary range of \$76,315 to \$125,923 under the 2019-21 compensation plan).

[Bill Sections: 93, 465, 485, 522, and 2505]

6. NATIVE AMERICAN ECONOMIC DEVELOPMENT; TECHNICAL ASSISTANCE PROGRAM

PR	\$220,000
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Governor: Provide \$110,000 annually, funded by tribal gaming revenues, to the Great Lakes Inter-Tribal Council to support its technical assistance program. The program promotes economic development on tribal lands by providing management assistance for existing businesses, start-up assistance to new businesses (including the development of business and marketing plans), and technical assistance to help businesses gain access to financial support. The program is provided base funding of \$79,500 annually from tribal gaming revenues.

7. UW-GREEN BAY SUMMER CAMP PROGRAMS

PR	\$218,600
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Governor: Provide \$109,300 annually, funded by tribal gaming revenues, to the University of Wisconsin-Green Bay. The administration indicates that funds would be used for educational summer camp programs developed in partnership with the Oneida Nation of Wisconsin. Funds would support STEM-related (science, technology, engineering and mathematics) camps for up to 288 students in grades three through 11 and provide access to UW-Green Bay's college credit program for high school students.

8. BINGO AND RAFFLE APPROPRIATION

Governor: Combine the PR appropriations for raffle and bingo program operations. Remove the current law requirement that unspent bingo funds must be transferred to the lottery fund at the end of each fiscal year. The bill would not modify bingo or raffle fees, nor would it modify the total amount authorized for program operations.

Under current law, bingo and raffle licenses may be granted to any local religious, charitable, service, fraternal, or veterans' organization, and to any organization to which contributions are deductible for tax purposes. Fees are deposited in appropriations for bingo and raffle regulation, respectively. The Wisconsin Constitution requires that state revenues from charitable bingo be used for property tax relief, with the exception of funds used for regulation.

In 2019-20, the bingo appropriation had an unsupported overdraft of \$38,100 and no bingo revenue was transferred to the lottery fund. Revenues from bingo have declined in recent years, while revenues from raffles have increased. The administration indicates that combining the appropriations would increase administrative flexibility, as revenues from raffle fees would help offset the bingo overdraft. Base funding for bingo regulation is \$359,500 and 3.2 positions, while base funding for raffle regulation is \$299,000 and 2.9 positions.

[Bill Sections: 477, 488, 614, 1455, and 2894 thru 2901]