

# STATE OF WISCONSIN

SENATE CHAIR  
**Howard Marklein**

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ASSEMBLY CHAIR  
**Mark Born**

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## JOINT COMMITTEE ON FINANCE

Minutes of the Meeting under s. 13.10

May 31, 2022

Co-Chair Marklein presided and called the meeting to order.

Present: Senators Marklein, Stroebel, Kooyenga, Felzkowski, Bernier, Ballweg, Erpenbach, Johnson  
Representatives Born, Loudenbeck, Zimmerman, Rodriguez, Kurtz, Goyke

Absent: Representatives Katsma, Meyers

### I. Department of Health Services

Moved by Senator Marklein and seconded by Representative Born to approve the transfer of (a) \$3,724,400 GPR in each fiscal year from the Committee's appropriation under s. 20.865(4)(a) to the department's general program operations appropriation under s. 20.435(2)(a) to fund reestimated overtime costs at the state mental health institutes; (b) \$2,103,200 GPR in each fiscal year from the Committee's appropriation under s. 20.865(4)(a) to the department's secure mental health units or facilities appropriation under s. 20.435(2)(bm) to fund reestimated overtime costs at the secure treatment centers; and (c) \$2,635,000 PR in each fiscal year from the Committee's appropriation under s. 20.865(4)(g) to the department's institutional operations and charges appropriation under s. 20.435(2)(gk) to fund reestimated overtime costs at the state mental health institutes and the state centers for individuals with intellectual disabilities.

Ayes, 14; Noes, 0; Absent, 2

### II. Office of the Commissioner of Insurance

Moved by Senator Marklein and seconded by Representative Born to increase the cap on the 2021 plan year reinsurance payments by \$5,000,000 from \$200,000,000 to \$205,000,000 as authorized under s. 601.83(1)(h).

Ayes, 14; Noes, 0; Absent, 2

III. Department of Justice

Moved by Senator Marklein and seconded by Representative Born to approve the transfer of \$1,000,000 GPR in fiscal year 2021-22 from the Committee's appropriation under s. 20.865(4)(a) to the department's community-oriented policing-house grant program appropriation under s. 20.455(2)(cp) in fiscal year 2022-23, to award grants to cities under the community-oriented policing-house grant program.

Ayes, 14; Noes, 0; Absent, 2

*{Secretary's Note: The funding is provided on a one-time basis.}*

IV. Department of Justice

Moved by Senator Marklein and seconded by Representative Born to approve the transfer of \$2,000,000 GPR in fiscal year 2021-22 from the Committee's appropriation under s. 20.865(4)(a) to the department's school safety appropriation under s. 20.455(2)(f) in fiscal year 2022-23, to award grants to schools for critical incident mapping data.

Ayes, 14; Noes, 0; Absent, 2

*{Secretary's Note: The funding is provided on a one-time basis.}*

V. Department of Justice

Moved by Senator Marklein and seconded by Representative Born to approve the transfer of \$2,000,000 GPR in fiscal year 2021-22 from the Committee's appropriation under s. 20.865(4)(a) to the department's grants for body cameras appropriation under s. 20.455(2)(d) in fiscal year 2022-23, to award grants to law enforcement agencies to purchase body cameras for law enforcement officers.

Ayes, 14; Noes, 0; Absent, 2

*{Secretary's Note: The funding is provided on a one-time basis.}*

VI. Department of Military Affairs

Moved by Senator Marklein and seconded by Representative Loudenbeck to approve the transfer of \$1,536,000 SEG in fiscal year 2021-22 and \$749,200 SEG in fiscal year 2022-23 from the Committee's appropriation under s. 20.865(4)(u) to the department's state disaster assistance; petroleum inspection fund appropriation under s. 20.465(3)(s), on a one-time basis, to pay claims submitted by local units of government for damages and costs incurred as a result of a disaster.

Ayes, 14; Noes, 0; Absent, 2

VII. Department of Military Affairs

Moved by Senator Marklein and seconded by Representative Loudenbeck to approve the transfer of \$1,500,000 SEG in fiscal year 2022-23 from the Committee's appropriation under s. 20.865(4)(u) to the department's Next Generation 911 appropriation under s. 20.465(3)(qm) to provide geographic information system grants. Additionally, it was approved to create 2.0 FTE SEG positions, including a GIS specialist and a grants specialist, in fiscal year 2022-23 for GIS program operations and grants administration. The positions must be funded using the department's base budget in the 2023-25 biennium.

Ayes, 14; Noes, 0; Absent, 2

VIII. Department of Military Affairs

Moved by Senator Ballweg and seconded by Representative Loudenbeck to approve the transfer of \$500,000 GPR in fiscal year 2021-22 from the Committee's appropriation under s. 20.865(4)(a) to the department's urban search and rescue task force appropriation under s. 20.465(3)(dv) to provide training and equipment for the urban search and rescue teams (Wisconsin Task Force 1).

Ayes, 14; Noes, 0; Absent, 2

IX. Department of Administration

Moved by Senator Marklein and seconded by Representative Born to approve, pursuant to s. 20.004(2), the updated summaries and schedules under ss. 20.005(1), (2)(a) and (b), and (3) prepared by the department and Legislative Fiscal Bureau, which include the fiscal effect of all legislation enacted by the 2021 Legislature.

Ayes, 14; Noes, 0; Absent, 2

*{Secretary's Note: The summaries and schedules can be updated to incorporate any decisions made by the Committee at its May 31, 2022, s. 13.10 meeting.}*



X. Department of Justice

*{Secretary's Note: The following cases referenced in Items X – XVIII were taken up en masse and addressed in a single motion:*

*State of Wisconsin v. Keith Steinmetz (Chippewa County Case No. 2020-CX-0004B)*

*State of Wisconsin and Emerald Sky Dairy, LLC.*

*State of Wisconsin and Spring South, LLC, Tom's Petroleum Construction, LLC, and RCT Petroleum, Inc.*

*State of Wisconsin and Dale Randall, Randall Brothers, LLC, and Jade Excavation and Trucking, LLC.*

*State of Wisconsin and Blue Royal Farm, Inc.*

*State of Wisconsin and Village of Wilson*

*State of Wisconsin and City of Elkhorn and Christopher J. Robers*

*State of Wisconsin and United Liquid Waste Recycling, Inc.*

*State of Wisconsin and United Septic & Drain Services, Inc.}*

Moved by Senator Marklein and seconded by Representative Born to approve the nine settlement agreements submitted by the department to the Joint Committee on Finance under s. 165.08. Pursuant to s. 165.10, and in light of the presumption embodied in s. 20.906(1), the Committee believes that the Attorney General must deposit all settlement funds, including attorneys' fees from settlements, into the general fund for general revenue purposes. However, in light of the recent decision in *Wis. State Legislature v. Kaul*, No. 2021-CV-152 (Wis. Cir. Ct. Polk Cnty.) on the meaning of s. 165.10, the Committee approves the proposed plans, notwithstanding the plans' failure to commit all attorneys' fees into the general fund for general revenue purposes. The Committee notes, however, that the decision in *Wisconsin State Legislature v. Kaul* on the meaning of s. 165.10 is currently on appeal. See *Wis. State Legislature v. Kaul*, No. 2022-AP-431 (Wis. Ct. App. notice of appeal filed March 14, 2022). Should the appellants prevail in that ongoing appeal as to the meaning of s. 165.10, the Committee will expect the Attorney General at that time to deposit all attorneys' fees from these settlements into the general fund for general revenue purposes.

Ayes, 14; Noes, 0; Absent, 2

Reports

Reports were accepted from the Department of Administration on the number of federally-funded positions approved during the fiscal quarters ended September 30, 2020; December 31, 2020; March 31, 2021; June 30, 2021; September 30, 2021; December 31, 2021; and March 31, 2022.



Daniel J. Subach, Secretary

Date: JUNE 2, 2022



Howard Marklein, Co-Chair

Date: 6-3-22



Tony Evers, Governor

Date: 6/10/22

**SUMMARY**

**DETAIL OF JOINT FINANCE COMMITTEE APPROPRIATED LEVELS  
2021-23 Biennium  
May 31, 2022**

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23 Biennium</u>
<b>20.865(4)(a) Appropriation Total Summary - GPR</b>			
Act 58 (Biennial Budget)	\$133,600	\$133,600	\$267,200
Reserve for Public Instruction – School Safety Mapping	2,000,000	0	2,000,000
Reserve for UW System – Freshwater Collaborative	2,500,000	2,500,000	5,000,000
Reserve for UW System – UW-Extension Cooperative County Specialists	1,000,000	1,000,000	2,000,000
Reserve for UW System – Foster Youth Programs	250,000	500,000	750,000
Reserve for UW System – UW-Madison Nelson Institute Collaborative Studies (with Federal Dept of Defense)	250,000	0	250,000
Reserve for UW System – Water-Related Collaborative Studies (with Federal Dept of Defense)	250,000	0	250,000
Reserve for Higher Educational Aids Board -Nurse Educators	0	5,000,000	5,000,000
Reserve for Natural Resources - Law Enforcement Integrated Records Management System	62,300	0	62,300
Reserve for Agriculture, Trade and Consumer Protection – Meat Processor	200,000	200,000	400,000
Reserve for Agriculture, Trade and Consumer Protection – Wisconsin Initiative for Agricultural Exports	558,400	558,400	1,116,800
Reserve for Military Affairs – Statewide Interoperable Radio Network (WISCOM)	0	6,000,000	6,000,000
Reserve for Military Affairs – Urban Search and Rescue Task Force	500,000	0	500,000
Reserve for Justice – Grants for Body Cameras	2,000,000	0	2,000,000
Reserve for Justice – Community Oriented Police Housing Grants	1,000,000	0	1,000,000
Reserve for Health Services – FoodShare Employment and Training Program	0	4,027,400	4,027,400
Reserve for Health Services – Regional Crisis Response Grants	10,000,000	0	10,000,000
Reserve for Health Services – Medication-Assisted Treatment	500,000	1,000,000	1,500,000
Reserve for Health Services – Methamphetamine Treatment Training	150,000	300,000	450,000
Reserve for Health Services – Substance Abuse Treatment Platform	0	300,000	300,000
Reserve for Health Services – DHS Facility Overtime Supplement	5,827,600	5,827,600	11,655,200
Reserve for Children and Families – Subsidized Guardianship	2,400,000	5,200,000	7,600,000
Reserve for Shared Revenue and Tax Relief – Personal Property Tax Exemption	0	202,350,000	202,350,000
	<hr/>	<hr/>	<hr/>
Current Total	<b>\$29,581,900</b>	<b>\$234,897,000</b>	<b>\$264,478,900</b>
<b>20.865(4)(g) Appropriation Total Summary - PR</b>			
Reserve for Safety and Professional Services – eSLA Upgrades	\$3,000,000	\$2,000,000	\$5,000,000
Reserve for Health Services – DHS Facility Overtime Supplement	3,351,800	3,351,800	6,703,600
Reserve for Dept of Administration – Tribal Grants	7,000,000	0	7,000,000
	<hr/>	<hr/>	<hr/>
Current Total	<b>\$13,351,800</b>	<b>\$5,351,800</b>	<b>\$18,703,600</b>
<b>20.865(4)(m) Appropriation Total Summary - FED</b>			
	\$0	\$0	\$0
	<hr/>	<hr/>	<hr/>
Current Total	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>20.865(4)(u) Appropriation Total Summary - SEG</b>			
Reserve for Natural Resources - PFAS-Containing Firefighting Foam Collection/Disposal	\$1,000,000	\$0	\$1,000,000
Reserve for Military Affairs – GIS Grants for Next Generation 911	0	1,500,000	1,500,000
	<hr/>	<hr/>	<hr/>
Current Total	<b>\$1,000,000</b>	<b>\$1,500,000</b>	<b>\$2,500,000</b>



**SUMMARY**  
**JOINT COMMITTEE ON FINANCE**  
**GPR APPROPRIATION STATUS**  
**2021-23 Biennium**  
**May 31, 2022**

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23</u> <u>\$2,500,000</u>	<u>Releases</u> <u>to Date</u>	<u>Remaining</u> <u>Reserve</u>
<b>Current Biennial Appropriation Reserved Amount [s. 20.865(4)(a)]</b>	<b>\$29,448,300</b>	<b>\$234,763,400</b>	<b>\$264,211,700</b>		
<u>Reserved For</u>					
Reserve for Public Instruction – School Safety Mapping	2,000,000	\$0	2,000,000	2,000,000	\$0
Reserve for UW System – Freshwater Collaborative	2,500,000	2,500,000	5,000,000	5,000,000	0
Reserve for UW System -- UW-Extension Cooperative County Specialists	1,000,000	1,000,000	2,000,000	2,000,000	0
Reserve for UW System -- Foster Youth Programs	250,000	500,000	750,000	750,000	0
Reserve for UW System -- UW-Madison Nelson Institute Collaborative Studies (with Federal Dept of Defense)	250,000	0	250,000	250,000	0
Reserve for UW System - Water-Related Collaborative Studies (with Federal Dept of Defense)	250,000	0	250,000	250,000	0
Reserve for Higher Educational Aids Board -Nurse Educators	0	5,000,000	5,000,000	5,000,000	0
Reserve for Natural Resources - Law Enforcement Integrated Records	62,300	0	62,300	0	62,300
Reserve for Agriculture, Trade and Consumer Protection – Meat Processor Grants	200,000	200,000	400,000	400,000	0
Reserve for Agriculture, Trade and Consumer Protection – Wisconsin Initiative for Agricultural Exports	558,400	558,400	1,116,800	558,400	558,400
Reserve for Military Affairs -- Statewide Interoperable Radio Network (WISCOM)	0	6,000,000	6,000,000	6,000,000	6,000,000
Reserve for Military Affairs -- Urban Search and Rescue Task Force	500,000	0	500,000	500,000	0
Reserve for Justice – Grants for Body Cameras	2,000,000	0	2,000,000	2,000,000	0
Reserve for Justice – Community Oriented Police Housing Grants	1,000,000	0	1,000,000	1,000,000	0
Reserve for Health Services -- FoodShare Employment and Training Program	0	4,027,400	4,027,400	0	4,027,400
Reserve for Health Services – Regional Crisis Response Grants	10,000,000	0	10,000,000	0	10,000,000
Reserve for Health Services – Medication-Assisted Treatment	500,000	1,000,000	1,500,000	1,500,000	0
Reserve for Health Services – Methamphetamine Treatment Training	150,000	300,000	450,000	450,000	0
Reserve for Health Services – Substance Abuse Treatment Platform	0	300,000	300,000	300,000	0
Reserve for Health Services – DHS Facility Overtime Supplement	5,827,600	5,827,600	11,655,200	11,655,200	0
Reserve for Children and Families – Subsidized Guardianship	2,400,000	5,200,000	7,600,000	7,600,000	0
Reserve for Shared Revenue and Tax Relief – Personal Property Tax Exemption	0	202,350,000	202,350,000	0	202,350,000
<b>Reserved Balance</b>	<b>\$29,448,300</b>	<b>\$234,763,400</b>	<b>\$264,211,700</b>	<b>\$41,213,600</b>	<b>\$222,998,100</b>
<u>Releases from Reserved Balance:</u>					
Reserve for Agriculture, Trade and Consumer Protection – Meat Processor Grants (s. 13.10 on 10/19/21)	200,000	200,000	400,000		
Reserve for UW System -- Freshwater Collaborative (s. 13.10 on 2/9/22)	2,500,000	2,500,000	5,000,000		
Reserve for UW System -- UW-Extension Cooperative County Specialists (s. 13.10 on 2/9/22)	1,000,000	1,000,000	2,000,000		
Reserve for UW System -- UW-Madison Nelson Institute Collaborative Studies (w/Dept of Defense) (s. 13.10 on 2/9/22)	250,000	-	250,000		
Reserve for UW System - Water-Related Collaborative Studies (w/Dept of Defense) (s. 13.10 on 2/9/22)	250,000	-	250,000		
Reserve for UW System -- Foster Youth Programs (s. 13.10 on 2/9/22)	250,000	500,000	750,000		
Reserve for Higher Educational Aids Board -Nurse Educators (s. 13.10 on 2/9/22)	-	5,000,000	5,000,000		
Reserve for Agriculture, Trade and Consumer Protection -- Wisconsin Initiative for Agricultural Exports (s. 13.10 on 2/9/22)	558,400	-	558,400		
Reserve for Health Services – Medication-Assisted Treatment (s. 13.10 on 2/9/22)	500,000	1,000,000	1,500,000		
Reserve for Health Services – Methamphetamine Treatment Training (s. 13.10 on 2/9/22)	150,000	300,000	450,000		
Reserve for Health Services – Substance Abuse Treatment Platform (s. 13.10 on 2/9/22)	-	300,000	300,000		
Reserve for Children and Families – Subsidized Guardianship (s. 13.10 on 2/22/22)	2,400,000	5,200,000	7,600,000		
Reserve for Health Services – DHS Facility Overtime Supplement (s. 13.10 on 5/31/22)	5,827,600	5,827,600	11,655,200		
Reserve for Justice – Community Oriented Police Housing Grants (s. 13.10 on 5/31/22)	-	1,000,000	1,000,000		
Reserve for Justice – School Safety Mapping (originally reserved under DPI) (s. 13.10 on 5/31/22)	-	2,000,000	2,000,000		
Reserve for Justice -- Grants for Body Cameras (s. 13.10 on 5/31/22)	-	2,000,000	2,000,000		
Reserve for Military Affairs -- Urban Search and Rescue Task Force (s. 13.10 on 5/31/2022)	500,000	-	500,000		
<b>Total Releases</b>	<b>\$14,386,000</b>	<b>\$26,827,600</b>	<b>\$41,213,600</b>		
<b>Remaining Reserved Balance</b>	<b>\$15,062,300</b>	<b>\$207,935,800</b>	<b>\$222,998,100</b>		
<b>Current Biennial Appropriation Unreserved Amount [s. 20.865(4)(a)]</b>	<b>\$133,600</b>	<b>\$133,600</b>	<b>\$267,200</b>		
<u>Releases from Unreserved Balance</u>					
	\$0	\$0	0		
<b>Total Releases</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		
<b>Net Unreserved Balance Remaining</b>	<b>\$133,600</b>	<b>\$133,600</b>	<b>\$267,200</b>		
<b>TOTAL AVAILABLE</b>	<b>\$15,195,900</b>	<b>\$208,069,400</b>	<b>\$223,265,300</b>		

SUMMARY  
 JOINT COMMITTEE ON FINANCE  
 PR APPROPRIATION STATUS  
 2021-23 Biennium  
 May 31, 2022

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23 Biennium</u>	<u>Releases to Date</u>	<u>Remaining Reserve</u>
<b>Current Biennial Appropriation Amount [s. 20.865(4)(g)]</b>	<b>\$13,351,800</b>	<b>\$5,351,800</b>	<b>\$2,500,000</b>		
<b>Reserved For:</b>					
Reserve for Safety and Professional Services – eSLA Upgrades	\$3,000,000	\$2,000,000	\$5,000,000	\$0	\$5,000,000
Reserve for Health Services – DHS Facility Overtime Supplement	3,351,800	3,351,800	6,703,600	5,270,000	1,433,600
Reserve for Dept of Administration – Tribal Grants	7,000,000	0	7,000,000	7,000,000	0
<b>Reserved Balance</b>	<b>\$13,351,800</b>	<b>\$5,351,800</b>	<b>\$18,703,600</b>	<b>\$12,270,000</b>	<b>\$6,433,600</b>
<b>Releases from Reserved Balance</b>					
Reserve for Dept of Administration – Tribal Grants (s. 13.10 on 2/9/22)	\$7,000,000	\$0	\$7,000,000		
Reserve for Health Services – DHS Facility Overtime Supplement (s. 13.10 on 5/31/22)	2,635,000	2,635,000	5,270,000		
<b>Total Releases</b>	<b>\$9,635,000</b>	<b>\$2,635,000</b>	<b>\$12,270,000</b>		
<b>Remaining Reserved Balance</b>	<b>\$3,716,800</b>	<b>\$2,716,800</b>	<b>\$6,433,600</b>		



SUMMARY  
 JOINT COMMITTEE ON FINANCE  
 SEG APPROPRIATION STATUS  
 2021-23 Biennium  
 May 31, 2022

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23 Biennium</u>	<u>Releases to Date</u>	<u>Remaining Reserve</u>
Current Biennial Appropriation Amount [s. 20.865(4)(u)]	\$1,000,000	\$1,500,000	\$2,500,000		
<u>Reserved For</u>					
Reserve for Natural Resources - PFAS-Containing Firefighting Foam Collection/Disposal	\$1,000,000	\$0	\$1,000,000	\$1,000,000	\$0
Reserve for Military Affairs - GIS Grants for Next Generation 911	0	1,500,000	1,500,000	1,500,000	0
<b>Reserved Balance</b>	<b>\$1,000,000</b>	<b>\$1,500,000</b>	<b>\$2,500,000</b>	<b>\$2,500,000</b>	<b>\$0</b>
<u>Releases from Reserved Balance</u>					
Reserve for Natural Resources - PFAS-Containing Firefighting Foam Collection/Disposal (s. 13.10 on 2/9/22)	\$1,000,000	\$0	\$1,000,000		
Reserve for Military Affairs - GIS Grants for Next Generation 911 (s. 13.10 on 5/31/22)	0	1,500,000	1,500,000		
<b>Total Releases</b>	<b>\$1,000,000</b>	<b>\$1,500,000</b>	<b>\$2,500,000</b>		
<b>Remaining Reserved Balance</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		

SUMMARY  
 JOINT COMMITTEE ON FINANCE  
 FED APPROPRIATION STATUS  
 2021-23 Biennium  
 May 31, 2022

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23 Biennium</u>	<u>Releases to Date</u>	<u>Remaining Reserve</u>
Current Biennial Appropriation Amount [s. 20.865(4)(m)]	\$0	\$0	\$0		
<u>Reserved For</u>	\$0	\$0	\$0	\$0	\$0
Reserved Balance	\$0	\$0	\$0	\$0	\$0
<u>Releases from Reserved Balance</u>	\$0	\$0	\$0		
Total Releases	\$0	\$0	\$0		
Remaining Reserved Balance	\$0	\$0	\$0		