

## DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

### GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY07 Adjusted Base	FY08 Recommended	% Change Over FY07	FY09 Recommended	% Change Over FY08
GPR	27,854,200	29,582,900	6.2	31,196,900	5.5
PR-F	7,627,700	15,154,500	98.7	15,154,500	0.0
PR-O	13,451,700	13,840,100	2.9	13,845,900	0.0
PR-S	6,183,000	6,558,100	6.1	6,560,500	0.0
SEG-O	22,929,100	29,393,000	28.2	31,115,000	5.9
TOTAL	78,045,700	94,528,600	21.1	97,872,800	3.5

### FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY07 Adjusted Base	FY08 Recommended	FTE Change From FY07	FY09 Recommended	FTE Change From FY08
GPR	219.90	219.90	0.00	215.40	-4.50
PR-F	71.95	70.95	-1.00	70.95	0.00
PR-O	142.42	140.92	-1.50	139.92	-1.00
PR-S	40.98	43.48	2.50	43.48	0.00
SEG-O	97.12	97.12	0.00	96.12	-1.00
TOTAL	572.37	572.37	0.00	565.87	-6.50

### AGENCY DESCRIPTION

The department was created by Chapter 479, Laws of 1929. The department is headed by a nine-member board, including two consumer representatives, appointed by the Governor with the advice and consent of the Senate for staggered six-year terms. The Governor also appoints a secretary, with the advice and consent of the Senate, to administer the department. The department's programs are administered through six divisions: Food Safety, Trade and Consumer Protection, Animal Health, Agricultural Development, Agricultural Resource Management, and Management Services.

The Office of the Secretary includes the deputy secretary, executive assistant and budget director. Attached directly to the secretary's office are the Office of Legal Counsel and the Wisconsin Agricultural Statistics Service.

### MISSION

The mission of the department is to serve the citizens of Wisconsin by developing, implementing and communicating public policies that:

- Promote, protect and strengthen the financial soundness and competitive viability of Wisconsin's agricultural industry; and

- Assure citizens' safety, security and confidence in the agricultural and nonagricultural products and services of our marketplace.

## **PROGRAMS, GOALS, OBJECTIVES AND ACTIVITIES**

Note: Goals, objectives and activities have been modified.

### **Program 1: Food Safety and Consumer Protection**

Goal: Assure fair business practices for buyers and sellers and safe products for consumers and the environment by establishing and enforcing legal standards, by mediating disputes between consumers and businesses, and by providing consumer education and information to Wisconsin citizens.

Objective/Activity: Return to consumers and government money gained through unfair business practices.

### **Program 3: Marketing Services**

Goal: Identify and develop new profit centers and opportunities for farmers and agribusiness and provide information, programs and services that can result in increased income. Create an environment that fosters new development and opportunities in agriculture.

Objective/Activity: Develop a more diversified and profitable agricultural industry in Wisconsin through agricultural development and diversification grants, and educational and outreach activities.

### **Program 7: Agricultural Resource Management**

Goal: Improve environmental, public health and livestock protection in Wisconsin while allowing for the efficacious and wise use of fertilizer, pesticide and other agrichemical materials.

Objective/Activity: Allow Wisconsin farmers, businesses and homes to safely and conveniently dispose of unwanted pesticides and other hazardous chemicals at public collection sites.

### **Program 8: Central Administrative Services**

Goal: Support the vision and goals of the department by partnering with management and staff to provide information, advice and expertise that support the needs of the business.

Objective/Activity: Resolve computer and computer-user problems, to the user's satisfaction, in a timely manner.

## PERFORMANCE MEASURES

### 2005 AND 2006 GOALS AND ACTUALS

Prog. No.	Performance Measure	Goal 2005	Actual 2005	Goal 2006	Actual 2006
1.	Money returned to consumers, fines and forfeitures.	\$4.3 million	\$5.4 million	\$4.5 million	\$5.6 million <sup>1</sup>
3.	New products and markets developed.	32%	48%	32%	39%
7.	Amount of agricultural, business and household hazardous wastes collected at Wisconsin Clean Sweep collection sites. <sup>2</sup>	375,000 pounds <sup>3</sup>	385,000 pounds	400,000 pounds	425,000 pounds <sup>4</sup>
8.	Percentage of all computer hardware/software/user problems reported to the Help Desk resolved within the month.	96%	98.6%	96%	99.2%

Note: Based on calendar year, except Program 3 which is based on September year-end.

<sup>1</sup>Projected.

<sup>2</sup>2003 Wisconsin Act 33 combined the department's Agricultural Clean Sweep Program with the Department of Natural Resource's Household Hazardous Waste Grant program. Program 7 performance measures and goals have been updated to reflect this merger.

<sup>3</sup>The Clean Sweep Program is a grant program and may only fund a portion of a collection program's costs. Therefore, collection goals do not reflect total waste collected in the state, only the estimated portion funded by the grant.

<sup>4</sup>As collection sites operate until the end of the calendar year, Actual 2006 is a projection.

### 2007, 2008 AND 2009 GOALS

Prog. No.	Performance Measure	Goal 2007	Goal 2008	Goal 2009
1.	Money returned to consumers, fines and forfeitures.	\$4.7 million	\$4.9 million	\$5.1 million
3.	New products and markets developed.	32%	33%	33%
7.	Amount of agricultural, business and household hazardous wastes collected at Wisconsin Clean Sweep collection sites.	450,000 pounds	475,000 pounds	500,000 pounds
8.	Percentage of all computer hardware/software/user problems reported to the Help Desk resolved within the month.	96%	96%	96%

**DEPARTMENT OF AGRICULTURE,  
TRADE AND CONSUMER PROTECTION**

**GOVERNOR'S BUDGET RECOMMENDATIONS**

**RECOMMENDATIONS**

1. Soil and Water Resource Management
2. Agricultural Chemical Pollution Prevention
3. Wisconsin Clean Sweep Program
4. Anaerobic Digester Research
5. Bioindustry Grants
6. Farmland Preservation Program Streamlining
7. Invasive Species Violation Penalties
8. Attorney Consolidation
9. Transfers from Agricultural Chemical Cleanup Fund
10. Revenue Reestimate and Position Realignment
11. Debt Service Reestimate
12. Standard Budget Adjustments

**ITEMS NOT APPROVED**

13. Emerald Ash Borer Prevention and Surveillance
14. Fertilizer Research

**Table 1**  
**Department Budget Summary by Funding Source (in thousands of dollars)**

	ACTUAL FY06	ADJUSTED		GOVERNOR'S RECOMMENDATION		
		BASE FY07	AGENCY REQUEST FY08	FY09	FY08	FY09
<b>GENERAL PURPOSE REVENUE</b>	\$25,951.3	\$27,854.2	\$29,639.4	\$29,639.4	\$29,582.9	\$31,196.9
State Operations	19,759.6	21,543.7	23,328.9	23,328.9	23,272.4	24,886.4
Local Assistance	5,332.0	5,298.2	5,298.2	5,298.2	5,298.2	5,298.2
Aids to Ind. & Org.	859.7	1,012.3	1,012.3	1,012.3	1,012.3	1,012.3
<b>FEDERAL REVENUE (1)</b>	13,962.5	7,627.7	15,154.5	15,154.5	15,154.5	15,154.5
State Operations	13,962.5	7,627.7	15,154.5	15,154.5	15,154.5	15,154.5
<b>PROGRAM REVENUE (2)</b>	20,159.1	19,634.7	20,047.9	20,056.1	20,398.2	20,406.4
State Operations	18,259.1	19,572.2	19,985.4	19,993.6	20,335.7	20,343.9
Aids to Ind. & Org.	1,900.0	62.5	62.5	62.5	62.5	62.5
<b>SEGREGATED REVENUE (3)</b>	18,694.8	22,929.1	25,318.0	25,075.0	29,393.0	31,115.0
State Operations	9,418.1	10,337.7	10,857.0	10,864.0	10,882.0	10,854.0
Local Assistance	6,782.2	7,491.4	7,911.0	7,911.0	12,911.0	14,911.0
Aids to Ind. & Org.	2,494.5	5,100.0	6,550.0	6,300.0	5,600.0	5,350.0
<b>TOTALS-ANNUAL</b>	78,767.7	78,045.7	90,159.8	89,925.0	94,528.6	97,872.8
State Operations	61,399.3	59,081.3	69,325.8	69,341.0	69,644.6	71,238.8
Local Assistance	12,114.2	12,789.6	13,209.2	13,209.2	18,209.2	20,209.2
Aids to Ind. & Org.	5,254.2	6,174.8	7,624.8	7,374.8	6,674.8	6,424.8

(1) Includes Program Revenue-Federal and Segregated Revenue-Federal

(2) Includes Program Revenue-Service and Program Revenue-Other

(3) Includes Segregated Revenue-Service, Segregated Revenue-Other and Segregated Revenue-Local

**Table 2**  
**Department Position Summary by Funding Source (in FTE positions) (4)**

	ADJUSTED		AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
	BASE FY07	FY08	FY09	FY08	FY09	
<b>GENERAL PURPOSE REVENUE</b>	219.90	219.90	219.90	219.90	215.40	
<b>FEDERAL REVENUE (1)</b>	71.95	73.95	73.95	70.95	70.95	
<b>PROGRAM REVENUE (2)</b>	183.40	179.40	179.40	184.40	183.40	
<b>SEGREGATED REVENUE (3)</b>	97.12	99.12	99.12	97.12	96.12	
State Operations	76.12	78.12	78.12	76.12	75.12	
Local Assistance	21.00	21.00	21.00	21.00	21.00	
<b>TOTALS-ANNUAL</b>	572.37	572.37	572.37	572.37	565.87	
State Operations	551.37	551.37	551.37	551.37	544.87	
Local Assistance	21.00	21.00	21.00	21.00	21.00	

(1) Includes Program Revenue-Federal and Segregated Revenue-Federal

(2) Includes Program Revenue-Service and Program Revenue-Other

(3) Includes Segregated Revenue-Service, Segregated Revenue-Other and Segregated Revenue-Local

(4) All positions are State Operations unless otherwise specified

**Table 3**  
**Department Budget Summary by Program (in thousands of dollars)**

	ACTUAL FY06	ADJUSTED BASE FY07	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY08	FY09	FY08	FY09
1. Food safety and consumer protection	\$26,085.1	\$26,454.8	\$27,735.5	\$27,738.5	\$27,839.9	\$27,842.9
2. Animal health services	6,035.2	3,939.1	6,863.6	6,863.6	6,863.7	6,863.4
3. Agricultural development services	5,591.1	3,355.2	6,571.5	6,571.5	6,571.5	6,571.5
4. Agricultural assistance	1,022.4	970.0	2,220.0	1,970.0	1,220.0	970.0
7. Agricultural resource management	25,481.1	29,504.1	30,729.2	30,739.0	35,747.6	39,336.7
8. Central administrative services	14,552.8	13,822.5	16,040.0	16,042.4	16,285.9	16,288.3
<b>TOTALS</b>	<b>78,767.7</b>	<b>78,045.7</b>	<b>90,159.8</b>	<b>89,925.0</b>	<b>94,528.6</b>	<b>97,872.8</b>

**Table 4**  
**Department Position Summary by Program (in FTE positions) (4)**

	ADJUSTED BASE FY07	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY08	FY09	FY08	FY09
1. Food safety and consumer protection	302.94	297.39	297.39	299.39	298.39
2. Animal health services	36.00	35.00	35.00	35.00	35.00
3. Agricultural development services	28.35	28.35	28.35	28.35	28.35
7. Agricultural resource management	99.75	101.80	101.80	99.80	98.80
8. Central administrative services	105.33	109.83	109.83	109.83	105.33
<b>TOTALS</b>	<b>572.37</b>	<b>572.37</b>	<b>572.37</b>	<b>572.37</b>	<b>565.87</b>

(4) All positions are State Operations unless otherwise specified

**1. Soil and Water Resource Management**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
SEG-O	0	0.00	0	0.00	5,075,000	0.00	7,040,000	0.00
TOTAL	0	0.00	0	0.00	5,075,000	0.00	7,040,000	0.00

The Governor recommends providing \$12 million over the biennium for cost-share grants to farmers to develop nutrient management plans and other nonpoint source water pollution control practices. The Governor also recommends providing \$7 million in new GPR-supported general obligation bonds for grants to counties for implementation of land and water resource management plans, including cost-share grants to landowners. The Governor further recommends providing \$75,000 in FY08 and \$40,000 in FY09 to establish and operate a manure management advisory system to provide information to assist farmers and manure applicators in identifying the least risky fields and times to apply manure.

**2. Agricultural Chemical Pollution Prevention**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
SEG-O	0	0.00	0	0.00	300,000	0.00	300,000	0.00
TOTAL	0	0.00	0	0.00	300,000	0.00	300,000	0.00

The Governor recommends providing funding to help businesses install agricultural chemical pollution prevention practices to protect the environment and public health and reduce the need for future remediation. The Governor also recommends increasing the maximum lifetime agricultural chemical cleanup award a business may receive to a cleanup reimbursement maximum of \$400,000 and a combined cleanup and pollution prevention maximum of \$500,000. The Governor further recommends providing funding to establish a lead and arsenic contaminated soils program to inform the public about the dangers of exposure to lead and arsenic contaminated residues in soil.

**3. Wisconsin Clean Sweep Program**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
SEG-O	289,600	0.00	289,600	0.00	289,600	0.00	289,600	0.00
TOTAL	289,600	0.00	289,600	0.00	289,600	0.00	289,600	0.00

The Governor recommends increasing funding for the Wisconsin Clean Sweep Program to bring total funding to \$1 million annually. The funding will enable the department to award up to ten additional grants per cycle to local authorities to conduct collections of agricultural, business and hazardous household waste.

#### 4. Anaerobic Digester Research

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
SEG-O	250,000	0.00	0	0.00	250,000	0.00	0	0.00
TOTAL	250,000	0.00	0	0.00	250,000	0.00	0	0.00

The Governor recommends providing funding for research and development of anaerobic digesters at farms participating in the discovery farms program under the Wisconsin agricultural stewardship initiative. This provision builds on measures enacted in 2005 Wisconsin Act 141 to promote energy efficiency and energy derived from renewable resources.

#### 5. Bioindustry Grants

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
SEG-O	1,000,000	0.00	1,000,000	0.00	0	0.00	0	0.00
TOTAL	1,000,000	0.00	1,000,000	0.00	0	0.00	0	0.00

The Governor recommends consolidating grant and loan programs for companies and researchers to develop and commercialize renewable fuel and energy technologies at the Department of Commerce. See Department of Commerce, Item #1.

#### 6. Farmland Preservation Program Streamlining

The Governor recommends allowing the department, rather than the Land and Water Conservation Board, to certify county farmland preservation plans and zoning ordinances, and allowing county self-certification. The Governor also recommends restructuring payback requirements when land is rezoned out of a preservation area by eliminating the requirement that the landowner repay farmland preservation tax credits received and instead require the landowner to pay a \$100 per acre conversion fee to counties to support preservation planning and monitoring activities.

#### 7. Invasive Species Violation Penalties

The Governor recommends increasing the maximum allowable penalties for violating nursery and quarantine laws from \$200 to \$1,000 for a first offense and \$5,000 for any subsequent offense, and creating civil forfeiture and criminal penalty options for such violations. This change will align penalty levels with other states and help to combat the threat of invasive species such as the emerald ash borer.

**8. Attorney Consolidation**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	0	0.00	0	-4.50
PR-O	0	0.00	0	0.00	0	0.00	0	-1.00
SEG-O	0	0.00	0	0.00	0	0.00	0	-1.00
TOTAL	0	0.00	0	0.00	0	0.00	0	-6.50

The Governor recommends improving the provision of state legal services by consolidating attorneys and legal support staff under the secretary of the Department of Administration on July 1, 2008. The Department of Administration secretary will determine the assignment of attorneys to individual agencies. To achieve this, the Governor recommends transferring 7.5 FTE positions to the Department of Administration. The Governor further recommends retaining the funding associated with these positions in the department to purchase legal services from the Department of Administration. In addition, 1.0 FTE unclassified position is created to provide general counsel services. See Department of Administration, Item #1.

**9. Transfers from Agricultural Chemical Cleanup Fund**

The Governor recommends transferring \$250,000 in FY08 and \$100,000 in FY09 from the agricultural chemical cleanup fund to the food regulation appropriation under s. 20.115(1)(gb), and \$125,000 in each year to the animal health inspection, testing and enforcement appropriation under s. 20.115(2)(ha) to address projected deficits in the program revenue appropriations.

**10. Revenue Reestimate and Position Realignment**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-F	7,309,100	2.00	7,309,100	2.00	7,309,100	-1.00	7,309,100	-1.00
PR-O	146,500	-1.50	146,500	-1.50	146,500	-1.50	146,500	-1.50
PR-S	-36,500	-0.50	-36,500	-0.50	209,400	2.50	209,400	2.50
TOTAL	7,419,100	0.00	7,419,100	0.00	7,665,000	0.00	7,665,000	0.00

The Governor recommends adjusting expenditure authority to reflect projected program revenues and federal revenues to be received in each year and transferring 6.88 FTE positions to different appropriations to reflect changed duties. The Governor further recommends converting 3.0 FTE PR-F positions in the Office of Privacy Protection to program revenue support received from the Department of Financial Institutions and Office of the Commissioner of Insurance. See Office of the Commissioner of Insurance, Item #15.

**11. Debt Service Reestimate**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-56,500	0.00	1,557,500	0.00
TOTAL	0	0.00	0	0.00	-56,500	0.00	1,557,500	0.00

The Governor recommends adjusting the department's base budget to reflect a reestimate of debt service on authorized bonds.

**12. Standard Budget Adjustments**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	1,785,200	0.00	1,785,200	0.00	1,785,200	0.00	1,785,200	0.00
PR-F	217,700	0.00	217,700	0.00	217,700	0.00	217,700	0.00
PR-O	241,900	0.00	247,700	0.00	241,900	0.00	247,700	0.00
PR-S	165,700	0.00	168,100	0.00	165,700	0.00	168,100	0.00
SEG-O	549,300	0.00	556,300	0.00	549,300	0.00	556,300	0.00
TOTAL	2,959,800	0.00	2,975,000	0.00	2,959,800	0.00	2,975,000	0.00

The Governor recommends adjusting the department's base budget for: (a) turnover reduction (-\$222,800 in each year); (b) full funding of continuing position salaries and fringe benefits (\$3,124,000 in each year); (c) reclassifications and semiautomatic pay progression (\$58,600 in FY08 and \$73,800 in FY09); and (d) minor transfers within the same alpha appropriation.

**ITEMS NOT APPROVED**

The following requests are not included in the Governor's budget recommendations for the Department of Agriculture, Trade and Consumer Protection.

Decision Item	Source of Funds	FY08		FY09	
		Dollars	Positions	Dollars	Positions
13. Emerald Ash Borer Prevention and Surveillance	PR-O	-104,400	-2.00	-104,400	-2.00
	SEG-O	100,000	2.00	100,000	2.00
14. Fertilizer Research	SEG-O	200,000	0.00	200,000	0.00
TOTAL OF ITEMS NOT APPROVED	PR-O	-104,400	-2.00	-104,400	-2.00
	SEG-O	300,000	2.00	300,000	2.00