

THE STATE OF WISCONSIN

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JOINT COMMITTEE ON FINANCE

Minutes of the Regular Meeting Under s. 13.10

May 3, 2000

Co-chair Burke presided and called the meeting to order at 9:30 a.m.

Present: Senators Burke, Decker, Jauch, Moore, Shibilski, Plache, Cowles, Darling
Representatives Gard, Porter, Kaufert, Albers, Duff, Ward, Huber, Riley
Absent: None

Secretary's Note: For some of the items the Senate Majority Leader designated Senator Clausing to take the place of Senator Shibilski. These are noted.

I. Department of Administration

Moved by Representative Gard and seconded by Senator Burke to release \$500,000 PR in 1999-2000 from the reserved portion of the Joint Committee on Finance appropriation under s. 20.865(4)(g) to the management assistance grant program under s. 20.505(1)(ku) for distribution to Menominee County.

Ayes, 16; Noes, 0

II. Higher Educational Aids Board

Moved by Representative Gard and seconded by Senator Burke to provide a supplement of \$15,500 GPR in 1999-2000 and \$28,400 GPR in 2000-01 to HEAB's s. 20.235(2)(aa) appropriation from the Joint Finance Committee's s. 20.865(4)(a) appropriation to fund 1.86 positions that were provided in 1999 Wisconsin Act 9.

Ayes, 16; Noes, 0

III. Higher Educational Aids Board

Moved by Representative Gard and seconded by Senator Burke to approve the interstate educational reciprocity agreements between Gateway Technical College and McHenry County College and College of Lake County as submitted by HEAB, with the understanding that courses taken by nonresidents with the approval of their employer would be related to the employer's business. In addition, require the Wisconsin Technical College System Board to submit a report to the Joint Committee on Finance by May 1, 2001, on the number of Illinois residents who have enrolled in Gateway courses with the approval of their employer under the new provision, the effect of the provision on Gateway's tuition revenues and the potential impact of such enrollments on the District's property tax levy.

Ayes, 16; Noes, 0

IV. Technology for Educational Achievement (TEACH) in Wisconsin

Moved by Senator Jauch and seconded by Senator Burke to deny the agency's request.

Ayes, 8; Noes, 8 [Cowles, Darling, Gard, Porter, Kaufert, Albers, Duff, Ward]

Secretary's Note: The agency had submitted a request to release \$1,997,300 SEG in 1999-2000 from the reserved portion of the Committee's SEG appropriation to supplement the following telecommunications access appropriations: (a) \$927,100 SEG to the telecommunications access--school districts appropriation [s. 20.275(1)(s)]; (b) \$759,400 SEG to the telecommunications access--private and technical colleges and libraries appropriation [s. 20.275(1)(t)]; and (c) \$310,800 SEG to the telecommunications access--private schools appropriation [s. 20.275(1)(tm)]. In addition, the agency had requested that: (a) \$84,200 SEG be transferred from the access appropriation for private and technical colleges and libraries to the access appropriation for school districts; and (b) \$500,000 SEG be transferred from the access appropriation for private K-12 schools to the access appropriation for school districts.

Moved by Representative Duff and seconded by Representative Gard to release \$1,696,700 SEG in 1999-2000 from the reserved portion of the Committee's SEG appropriation [s. 20.865(4)(u)] to supplement the following TEACH telecommunications appropriations: \$1,193,000 to s. 20.275(1)(s) and \$503,700 to s. 20.275(1)(t). In addition, transfer \$183,500 SEG in 1999-2000 from the private K-12 school access appropriation [s. 20.275(1)(tm)] to the colleges and public libraries appropriation [s. 20.275(1)(t)]. Finally, require that

all E-Rate funding, except for \$400,000 in 1999-2000, received in each year, would be used to reduce the PSC assessment on telephone customers.

Ayes, 8; Noes, 8 [Burke, Decker, Jauch, Moore, Clausing, Plache, Huber, Riley]

Secretary's Note: In the temporary absence of Senator Shibilski, the Senate Majority Leader designated Senator Clausing to take his place on the Committee for this agenda item.

V. District Attorneys

Moved by Senator Cowles and seconded by Representative Huber to: (1) transfer 0.2 GPR Assistant District Attorney (ADA) position from Rusk County to Adams County, effective January 1, 2001; and (2) provide a supplement of \$235,300 GPR in 2000-01 from the Committee's appropriation under s. 20.865(4)(a) to the appropriation under s. 20.475(1)(d) (the District Attorneys' salaries and fringe benefits appropriation) and authorize 5.0 GPR ADA positions for the following counties as follows: (a) 0.5 position for Columbia County; (b) 0.3 position for LaCrosse County; (c) 0.5 position for Marathon County; (d) 0.2 position for Marquette County; (e) 0.5 position for Oneida County; (f) 0.75 position for Rock County; (g) 0.75 position for Winnebago County; (h) 0.5 position to be assigned to serve both Burnett and Washburn counties or to be allocated as 0.25 position for Burnett County and 0.25 position for Washburn County, whichever is agreed to by the district attorneys of Burnett and Washburn counties; and (i) 1.0 position to be assigned to serve both Manitowoc and Sheboygan counties or to be allocated as 0.5 position for Manitowoc County and 0.5 position for Sheboygan County, whichever is agreed to by the district attorneys of Manitowoc and Sheboygan counties.

Ayes, 12; Noes, 3 [Gard, Porter, Duff]; Absent, 1 [Moore]

VI. Director of State Courts

Moved by Representative Gard and seconded by Senator Burke to provide \$16,000 GPR in 1999-2000 and \$24,000 GPR in 2000-01 from the Committee's appropriation under s. 20.865(4)(a) to the Director of State Courts' general program operations appropriation under s. 20.680(2)(a) to support the hiring of a research reporter for the Committee to Study and Report on Methods of Judicial Selection.

Ayes, 16; Noes, 0

VII. Department of Corrections

Moved by Representative Gard and seconded by Senator Burke to provide a transfer of \$30,000 GPR in 1999-2000 from the Committee's appropriation under s. 20.865(4)(a) to the Parole Commission's appropriation under s. 20.410(2)(a) for supplies and services costs.

Ayes, 16; Noes, 0

VIII. Department of Revenue – Request withdrawn

Secretary's Note: The request related to funding for development of a cigarette excise tax tracking system.

IX. Department of Revenue

Moved by Representative Gard and seconded by Representative Porter to provide supplements in 2000-01 from the Joint Committee on Finance's SEG appropriation under s. 20.865(4)(u), as follows: (a) \$21,095,800 SEG for lottery general program operations under s. 20.566(8)(q); and (b) \$33,500 SEG for lottery credit administration under s. 20.566(2)(r). The SEG funding for these purposes would be provided from the lottery fund. In addition, authorize the conversion of 110.5 GPR positions for lottery operations to SEG positions in 2000-01 and the deletion of 3.0 GPR positions for lottery credit administration in 2000-01.

Ayes, 10; Noes, 6 [Burke, Decker, Moore, Shibilski, Plache, Huber]

X. Department of Workforce Development

Moved by Representative Gard and seconded by Senator Burke to approve a transfer of \$2,000,000 GPR in 1999-2000 from the reserved portion of the Committee's appropriation under s. 20.865(4)(a) to the Department's general program operations appropriation under s. 20.445(3)(a) to fund expenditures related to the Kids Information Data System.

Ayes, 16; Noes, 0

XI. Department of Administration

Moved by Representative Duff and seconded by Senator Burke to allocate total FED LUST and SEG petroleum inspection fund funding to DNR and Commerce in the same proportion as the percentage of ranked active petroleum and co-

contaminated sites managed by each of the agencies, contingent on EPA approval of the funding allocation. Approve the funding split recommended by DOA based on the number of active ranked sites administered by each agency on December 1, 1999, which would provide 38% of total FED and SEG PECFA funding for DNR and 62% for Commerce. This would transfer \$588,400 in ongoing LUST grant funding from DNR to Commerce, beginning in fiscal year 2000-01.

Ayes, 15; Noes, 0; Absent, 1 [Moore]

XII. Department of Justice

Moved by Representative Albers and seconded by Representative Gard to authorize 1.0 PR special agent two-year project position for the Department of Justice's Division of Criminal Investigation to investigate criminal activity under the state Petroleum Environmental Cleanup Fund Award (PECFA) program.

Ayes, 5; Noes, 11 [Burke, Decker, Jauch, Moore, Shibilski, Plache, Cowles, Duff, Ward, Huber, Riley]

Moved by Representative Duff and seconded by Senator Cowles to authorize 2.0 PR permanent PECFA special investigator positions in the appropriation under s. 20.455(2)(k).

Ayes, 15; Noes, 1 [Albers]

XIII. Department of Commerce

Moved by Representative Gard and seconded by Senator Burke to authorize 9.0 PR permanent positions and 3.0 two-year project positions in Commerce [funded from the appropriation under s. 20.143(3)(ka)] for PECFA program administration of medium- and low-risk petroleum contaminated sites (based on a 38% DNR and 62% Commerce funding allocation).

Ayes, 16; Noes, 0

XIV. Department of Commerce

Moved by Representative Duff and seconded by Senator Burke to: (a) provide a supplement of \$112,200 PR in 2000-01 to the Safety and Buildings general operations appropriation [s. 20.143(3)(j)] and authorize 2.0 PR one-year project positions [funded from s. 20.143(3)(j)] for claim review under the PECFA

program; and (b) delete 2.0 PR project positions funded from the appropriation for petroleum storage remedial action fees [s. 20.143(3)(Lm)].

Ayes, 16; Noes, 0

XV. Department of Natural Resources

Moved by Representative Albers and seconded by Representative Gard to authorize 1.0 PR, three-year project position, funded from the appropriation under s. 20.370(9)(mk), to implement an air quality public information and education program. In addition, direct DNR to not use the project position to provide information and advice to DNR air management staff and U.S. Environmental Protection Agency staff about how to integrate air science information into high school curricula.

Ayes, 8; Noes, 8 [Burke, Decker, Jauch, Moore, Shibilski, Plache, Huber, Riley]

Moved by Representative Gard and seconded by Senator Burke to authorize 1.0 PR, three-year project position, funded from the appropriation under s. 20.370(9)(mk), to implement an air quality public information and education program.

Ayes, 15; Noes, 1 [Albers]

XVI. Department of Natural Resources

Moved by Senator Decker and seconded by Senator Burke to provide: (a) a supplement of \$154,500 PR in 2000-01 to the appropriation under s. 20.370(2)(ci) and authorize 3.0 PR positions to perform air construction permit review and enforcement activities; and (b) a supplement of \$11,300 PR in 1999-2000 and \$68,300 PR in 2000-01 for the construction permit appropriation [s. 20.370(2)(ci)] for bureau-wide costs.

Ayes, 14; Noes, 2 [Gard, Porter]

XVII. Department of Natural Resources

Moved by Representative Gard and seconded by Senator Burke to authorize 1.0 PR position in 2000-01, to be funded from the appropriation under s. 20.370(2)(bi), for air asbestos management activities.

Ayes, 16; Noes, 0

Secretary's Note: DNR is to reallocate existing unallocated expenditure authority to fund the cost of the position.

XVIII. Department of Natural Resources

Moved by Representative Gard and seconded by Senator Burke to increase expenditure authority in the appropriation under s. 20.370(1)(mu) by \$96,700 SEG in fiscal year 2000-01 and authorize 2.0 SEG plant pest and disease specialist positions in the Division of Forestry (funding to come from the forestry account of the conservation fund) for coordinating the gypsy moth suppression program. In addition, increase expenditure authority by \$35,200 SEG in 2000-01 and authorize in 2000-01 0.75 SEG position (funding to come from the forestry account of the conservation fund) related to the gypsy moth program and allocated as follows: (a) \$19,300 and 0.5 financial assistance specialist position in the Bureau of Community Financial Assistance [s. 20.370(9)(mu)]; and (b) \$15,900 and 0.25 grant administrator position in the Bureau of Finance [s. 20.370(8)(mu)]. Finally, provide \$55,000 SEG, on a one-time basis in 2000-01, to the appropriation under s. 20.370(1)(mu) (funding to come from the forestry account of the conservation fund) for gypsy moth-related education and research activities in the Division of Forestry.

Ayes, 16; Noes, 0

XIX. Department of Natural Resources

Moved by Representative Albers and seconded by Representative Gard to direct DNR to require that any management plans for the forest tax law program prepared with any staffing or funding approved at the May 3, 2000, s. 13.10 meeting include a component dealing with gypsy moth pest management activities.

Ayes, 16; Noes, 0

Moved by Representative Gard and seconded by Senator Burke to increase expenditure authority in the appropriation under s. 20.370(1)(mu) by \$150,000 SEG in 1999-2000 and 2000-01 (to be funded from the forestry account of the conservation fund) for contracts with private foresters to prepare management plans for the entry of land into managed forest lands. In addition, increase expenditure authority in the appropriation under s. 20.370(1)(mu) by \$76,700 SEG in 2000-01 and authorize 1.0 SEG position in 2000-01 (funding to come from the forestry account of the conservation fund) for permanent and LTE staffing related to forest tax law workload.

Ayes, 16; Noes, 0

XX. Department of Natural Resources

Moved by Senator Decker and seconded by Senator Burke to approve the DNR definition of administrative costs, which would include: (a) the Division of Administration and Technology; (b) Land Program Management; and (c) Water Program Management.

Ayes, 8; Noes, 8 [Cowles, Darling, Gard, Porter, Kaufert, Albers, Duff, Ward]

Moved by Representative Gard and seconded by Representative Porter to include in the definition of administrative costs (for purposes of compliance with the 16% fish and wildlife account administrative funding limit): (a) the Division of Administration and Technology; and (b) program management for the Divisions of Land, Water, Enforcement and Science, and Customer Assistance and External Relations (CAER). In addition, delete: \$469,000 and 4.5 positions in 2000-01 as follows: from the Division of Administration and Technology (\$319,600 and 3.5 positions); from Land Program Management (\$69,100 and 0.5 position); from Water Program Management (\$42,700 and 0.5 position); from Enforcement and Science Program Management (\$19,500); and from CAER Program Management (\$18,100). Further, direct DNR to submit a request under s. 13.101 within the time designated by the Committee for consideration at the third quarterly meeting in 2000 (September) specifying staff and funding increases to provide direct fish and wildlife services.

Ayes, 8; Noes, 8 [Burke, Decker, Jauch, Moore, Shibilski, Plache, Huber, Riley]

Moved by Representative Gard and seconded by Representative Porter to include in the definition of administrative costs (for purposes of compliance with the 16% administrative funding limit): (a) the Division of Administration and Technology, and (b) program management for the Divisions of Land, Water, Enforcement and Science, and Customer Assistance and External Relations. In addition, direct DNR to submit a request under s. 13.101 within the time designated by the Committee for consideration at the third quarterly meeting in 2000 (September) describing where reductions or transfers of \$469,000 in 2000-01 should be made from the indicated administrative appropriations and specifying staff and funding increases to provide direct fish and wildlife services.

Ayes, 8; Noes, 8 [Burke, Decker, Jauch, Moore, Clausing, Plache, Huber, Riley]

Moved by Senator Decker and seconded by Senator Burke to include in the definition of administrative costs (for purposes of compliance with the 16% administrative funding limit): (a) the Division of Administration and Technology; and (b) program management for the Divisions of Land, Water, Enforcement and Science, and Customer Assistance and External Relations. In addition, direct DNR to submit a request under s. 13.101 within the time

designated by the Committee for consideration at the third quarterly meeting in 2000 (September) describing where reductions or transfers should be made in 2000-01 from the indicated administrative appropriations.

Ayes, 8; Noes, 8 [Cowles, Darling, Gard, Porter, Kaufert, Albers, Duff, Ward]

Secretary's Note: In the temporary absence of Senator Shibilski, the Senate Majority Leader designated Senator Clausing to take his place on the Committee for the last two votes.

XXI. Department of Natural Resources

Moved by Senator Decker and seconded by Senator Burke to authorize 1.0 PR facility designer position on a four-year project basis in the Bureau of Administrative and Field Services in DNR's general program operations service funds appropriation [s. 20.370(8)(mk)].

Ayes, 8; Noes, 8 [Cowles, Darling, Gard, Porter, Kaufert, Albers, Duff, Ward]

XXII. Department of Natural Resources

Moved by Senator Cowles and seconded by Senator Burke to approve the purchase of approximately 14 miles of railroad right-of-way from Green Bay to Greenleaf in Brown County from the Wisconsin Central Ltd. (WCL) for \$435,000 from the general land acquisition component of the Warren Knowles-Gaylord Nelson stewardship program, subject to the condition that the final sales contract include a provision requiring WCL to indemnify the state if the entire corridor does not meet the federal Rails-to-Trails criteria for interim trail use. In addition, direct DNR to limit any indemnity agreement entered into by the State of Wisconsin and Wisconsin Central Ltd. related to the Green Bay to Greenleaf corridor from exceeding a period of 20 years. Further, direct DNR to prohibit motorized uses of the trail on any part of the trail in a city or village.

Ayes, 16; Noes, 0

Moved by Representative Albers and seconded by Representative Gard to require that any indemnity agreement entered into between DNR and Wisconsin Central Ltd. include a bond purchased by WCL sufficient to cover the purchase amount.

Ayes, 1; Noes, 15 [Burke, Decker, Jauch, Moore, Clausing, Plache, Cowles, Darling, Gard, Porter, Kaufert, Duff, Ward, Huber, Riley]

Moved by Representative Albers and seconded by Representative Gard to require that approval of the purchase is conditioned on DNR entering into an

agreement with Brown County under which, if it is found that the entire Green Bay to Greenleaf corridor does not meet the federal Rails-to-Trails criteria for interim trail use and that the property reverts to landowners abutting the trail, Brown County return any state development funding provided during the period between the time of the purchase and the time of the finding to the state.

Ayes, 2; Noes, 14 [Burke, Decker, Jauch, Moore, Clausing, Plache, Cowles, Darling, Gard, Porter, Kaufert, Ward, Huber, Riley]

Secretary's Note: In the temporary absence of Senator Shibilski, the Senate Majority Leader designated Senator Clausing to take his place on the Committee for the last two votes in the agenda item.

XXIII. Department of Natural Resources

Moved by Representative Duff and seconded by Senator Burke approve the expenditure of \$303,500 from the Warren Knowles-Gaylord Nelson stewardship program for a grant to Kenosha County (\$224,100 from the urban rivers program and \$79,400 from the stream bank protection program) for the acquisition of 233 acres of land for Wheatland-Randall-Twin Lakes County Park. In addition, approve the expenditure of \$670,000 from the Warren Knowles-Gaylord Nelson stewardship program (\$380,000 from the urban rivers program and \$290,000 from the urban green space program) for a grant to Waukesha County for the acquisition of 347 acres of land for Ashippun River County Park.

Ayes, 15; Noes, 1 [Albers]

XXIV. Department of Natural Resources

Moved by Representative Gard and seconded by Senator Burke to approve the expenditure of \$1,555,355 from either the original or reauthorized Warren Knowles-Gaylord Nelson stewardship program for a natural areas and bluff protection grant to the Trust for Public Lands for the acquisition of 86.2 acres of land for Ellison Bluff County Park in Door County.

Vetoed
in
Part

Ayes, 16; Noes, 0

The presiding Co-chair made a unanimous consent request to receive the following reports: (a) (R-1) Department of Administration Position Report required under s. 16.50 on the number of federally-funded positions approved during the September to December 1999 quarter; and (b) (R-2) Department of Agriculture, Trade and Consumer Protection Report on Development of Gypsy Moth Suppression Program. Without objection, it was so ordered.

Daniel Caucutt, Secretary

Date: _____

Brian Burke, Co-chair

Date: _____

Tommy G. Thompson, Governor

Date: _____