

# STATE OF WISCONSIN

SENATE CHAIR  
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ASSEMBLY CHAIR  
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## JOINT COMMITTEE ON FINANCE

Minutes of the Meeting under s. 13.10

October 31, 2023

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

Present: Senators Marklein, Felzkowski, Ballweg, Testin, Johnson, Roys  
Representatives Born, Rodriguez, Kurtz, Dallman, McGuire, Andraca  
Absent: Senators Stroebel, Wimberger  
Representatives Katsma, Zimmerman

### I. Department of Justice

*Case: Federal Trade Commission and the State of Wisconsin v. Rhinelander Auto Center, Inc., Rhinelander Motor Company, Rhinelander Auto Group LLC, Rhinelander Import Group LLC, and Daniel Towne*

Moved by Senator Marklein and seconded by Representative Born to approve the settlement agreement 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 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, 10; Noes, 0; Absent, 5; Abstain, 1 (Felzkowski)

*[Secretary's Note: Senator Roys was not present for this vote.]*

II. Department of Administration

Moved by Senator Johnson and seconded by Representative McGuire to approve the department's request to release \$11,000,000 PR-S in fiscal year 2023-24 from the Committee's supplemental PR appropriation under s. 20.865(4)(g) to the department's tribal grants appropriation under s. 20.505(1)(ky) for administering the tribal assistance grant program created in 2023 Wisconsin Act 19.

Ayes, 3; Noes, 8 (Marklein, Felzkowski, Ballweg, Testin, Born, Rodriguez, Kurtz, Dallman); Absent 5

*[Secretary's Note: Senator Roys was not present for this vote.]*


Moved by Senator Marklein and seconded by Representative Born to release \$9.0 million from the Committee's supplemental PR appropriation under s. 20.865(4)(g) to the tribal grants annual PR appropriation under the Department of Administration, s. 20.505(1)(ky). Distribute \$1.0 million to each of the nine of Wisconsin's 11 tribes or bands, not including the Bad River Band of Lake Superior Chippewa and the Lac du Flambeau Band of Lake Superior Chippewa Indians. Specify in grant agreements with each tribe or band that grant monies may not be used to pay gaming-related expenses.

Ayes, 8; Noes, 4 (Johnson, Roys, McGuire, Andraca); Absent 4



Dustin Trickle, Secretary

Date: 11-6-23



Senator Howard Marklein, Co-Chair

Date: 11-6-23



Tony Evers, Governor

Date: 11/10/23

**SUMMARY**

**DETAIL OF JOINT FINANCE COMMITTEE APPROPRIATED LEVELS  
2023-25 Biennium  
October 31, 2023**

	<u>2023-24</u>	<u>2024-25</u>	<u>2023-25 Biennium</u>
<b>20.865(4)(a) Appropriation Total Summary - GPR</b>			
Unreserved	\$133,600	\$133,600	\$267,200
Reserve for Building Commission -- Transfer to Building Trust Fund	32,000,000	0	32,000,000
Reserve for Children and Families -- National Reading Program	500,000	500,000	1,000,000
Reserve for Corrections -- Population and Inflationary Cost Increases	5,675,100	5,675,100	11,350,200
Reserve for Corrections -- Contract Bed Funding	0	8,790,400	8,790,400
Reserve for Corrections -- Reentry Centers	4,000,000	0	4,000,000
Reserve for Health Services -- Telemedicine Crisis Response Pilot Program	2,000,000	0	2,000,000
Reserve for Health Services -- Crisis Urgent Care	10,000,000	0	10,000,000
Reserve for Health Services -- Dentistry Residency	5,000,000	0	5,000,000
Reserve for Health Services -- Complex Patient Pilot Program	5,000,000	0	5,000,000
Reserve for Military Affairs -- Town of Silver Public Safety Building	1,000,000	0	1,000,000
Reserve for Military Affairs -- Pre-Disaster Flood Mitigation	2,000,000	0	2,000,000
Reserve for Military Affairs -- WISCOM Upgrades	0	2,000,000	2,000,000
Reserve for Miscellaneous Appropriations -- WisconsinEye	10,000,000	0	10,000,000
Reserve for Natural Resources -- Well Compensation	1,000,000	0	1,000,000
Reserve for Public Instruction -- Literacy	50,000,000	0	50,000,000
Reserve for Public Instruction -- Shared School District Services	5,000,000	0	5,000,000
Reserve for Public Instruction -- Recovery School	500,000	500,000	1,000,000
Reserve for UW System -- Workforce Development	31,881,800	0	31,881,800
Reserve for Veterans Affairs -- State Veterans Homes	2,500,000	2,500,000	5,000,000
Reserve for WEDC -- Opportunity Attraction and Promotion Fund	10,000,000	0	10,000,000
Reserve for WEDC -- Childcare Revolving Loan Program	15,000,000	0	15,000,000
Reserve for WTCS -- Oral Healthcare Workforce	20,000,000	0	20,000,000
Reserve for Workforce Development -- Commercial Drivers License Training Grants	250,000	250,000	500,000
<b>Current Total - GPR</b>	<b>\$213,440,500</b>	<b>\$20,349,100</b>	<b>\$233,789,600</b>
<b>20.865(4)(g) Appropriation Total Summary - PR</b>			
Reserve for Administration -- Tribal Grants	\$11,000,000	\$0	\$11,000,000
Reserve for Administration -- Division of Facilities Development Staffing	964,000	1,285,400	2,249,400
Reserve for Shared Revenue -- County Aid Payments	3,613,000	0	3,613,000
<b>Current Total - PR</b>	<b>\$15,577,000</b>	<b>\$1,285,400</b>	<b>\$16,862,400</b>
<b>20.865(4)(m) Appropriation Total Summary - FED</b>			
	\$0	\$0	\$0
<b>Current Total - FED</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>20.865(4)(u) Appropriation Total Summary - SEG</b>			
Reserve for Transportation - Driver Education Grant	\$0	\$6,000,000	\$6,000,000
Reserve for Transportation - Local Bridges and Culverts	12,500,000	0	12,500,000
<b>Current Total - SEG</b>	<b>\$12,500,000</b>	<b>\$6,000,000</b>	<b>\$18,500,000</b>

**SUMMARY**  
**JOINT COMMITTEE ON FINANCE**  
**GPR APPROPRIATION STATUS**  
**2023-25 Biennium**  
**October 31, 2023**

2023 Act 19 (Biennial Budget)	<u>2023-24</u>	<u>2024-25</u>	<u>2023-25</u> <u>Biennium</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>\$213,306,900</b>	<b>\$20,215,500</b>	<b>\$233,522,400</b>		
<u>Reserved For:</u>					
Reserve for Building Commission – Transfer to Building Trust Fund	\$32,000,000	\$0	\$32,000,000		\$32,000,000
Reserve for Children and Families – National Reading Program	500,000	500,000	1,000,000		1,000,000
Reserve for Corrections – Population and Inflationary Cost Increases	5,675,100	5,675,100	11,350,200		11,350,200
Reserve for Corrections – Contract Bed Funding	0	8,790,400	8,790,400		8,790,400
Reserve for Corrections – Reentry Centers	4,000,000	0	4,000,000		4,000,000
Reserve for Health Services – Telemedicine Crisis Response Pilot Program	2,000,000	0	2,000,000		2,000,000
Reserve for Health Services – Crisis Urgent Care	10,000,000	0	10,000,000		10,000,000
Reserve for Health Services – Dentistry Residency	5,000,000	0	5,000,000		5,000,000
Reserve for Health Services – Complex Patient Pilot Program	5,000,000	0	5,000,000		5,000,000
Reserve for Military Affairs – Town of Silver Public Safety Building	1,000,000	0	1,000,000		1,000,000
Reserve for Military Affairs – Pre-Disaster Flood Mitigation	2,000,000	0	2,000,000		2,000,000
Reserve for Military Affairs – WISCOM Upgrades	0	2,000,000	2,000,000		2,000,000
Reserve for Miscellaneous Appropriations – WisconsinEye	10,000,000	0	10,000,000		10,000,000
Reserve for Natural Resources – Well Compensation	1,000,000	0	1,000,000		1,000,000
Reserve for Public Instruction – Literacy	50,000,000	0	50,000,000		50,000,000
Reserve for Public Instruction – Shared School District Services	5,000,000	0	5,000,000		5,000,000
Reserve for Public Instruction – Recovery School	500,000	500,000	1,000,000		1,000,000
Reserve for UW System – Workforce Development	31,881,800	0	31,881,800		31,881,800
Reserve for Veterans Affairs – State Veterans Homes	2,500,000	2,500,000	5,000,000		5,000,000
Reserve for WEDC – Opportunity Attraction and Promotion Fund	10,000,000	0	10,000,000		10,000,000
Reserve for WEDC – Childcare Revolving Loan Program	15,000,000	0	15,000,000		15,000,000
Reserve for WTCS – Oral Healthcare Workforce	20,000,000	0	20,000,000		20,000,000
Reserve for Workforce Development – Commercial Drivers License Training Grants	250,000	250,000	500,000		500,000
<b>Reserved Balance</b>	<b>\$213,306,900</b>	<b>\$20,215,500</b>	<b>\$233,522,400</b>	<b>\$0</b>	<b>\$233,522,400</b>
<u>Releases from Reserved Balance:</u>					
	\$0	\$0	\$0		
<b>Total Releases</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		
<b>Remaining Reserved Balance</b>	<b>\$213,306,900</b>	<b>\$20,215,500</b>	<b>\$233,522,400</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>\$213,440,500</b>	<b>\$20,349,100</b>	<b>\$233,789,600</b>		

**SUMMARY**  
**JOINT COMMITTEE ON FINANCE**  
**PR APPROPRIATION STATUS**  
**2023-25 Biennium**  
**October 31, 2023**

	<u>2023-24</u>	<u>2024-25</u>	<u>2023-25</u> <u>Biennium</u>	<u>Releases</u> <u>to Date</u>	<u>Remaining</u> <u>Reserve</u>
<b>Current Appropriation Amount [s. 20.865(4)(g)]</b>	<b>\$15,577,000</b>	<b>\$1,285,400</b>	<b>\$16,862,400</b>		
<u>Reserved For:</u>					
Reserve for Administration – Tribal Grants	\$11,000,000	\$0	\$11,000,000	\$9,000,000	\$2,000,000
Reserve for Administration – Division of Facilities Development Staffing	964,000	1,285,400	2,249,400		2,249,400
Reserve for Shared Revenue – County Aid Payments	3,613,000	0	3,613,000		3,613,000
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Reserved Balance	\$15,577,000	\$1,285,400	\$16,862,400	\$9,000,000	\$7,862,400
 <u>Releases from Reserved Balance</u>					
Reserve for Administration – Tribal Grants (s. 13.10 on 10/31/23)	\$9,000,000	\$0	\$9,000,000		
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Total Releases	\$9,000,000	\$0	\$9,000,000		
 Remaining Reserved Balance	 \$6,577,000	 \$1,285,400	 \$7,862,400		

**SUMMARY  
JOINT COMMITTEE ON FINANCE  
SEG APPROPRIATION STATUS  
2023-25 Biennium  
October 31, 2023**

	<u>2023-24</u>	<u>2024-25</u>	<u>2023-25 Biennium</u>	<u>Releases to Date</u>	<u>Remaining Reserve</u>
<b>Current Appropriation Amount [s. 20.865(4)(u)]</b>	<b>\$12,500,000</b>	<b>\$6,000,000</b>	<b>\$18,500,000</b>		
<u>Reserved For:</u>					
Reserve for Transportation - Driver Education Grant	\$0	\$6,000,000	\$6,000,000		\$6,000,000
Reserve for Transportation - Local Bridges and Culverts	12,500,000	0	12,500,000		12,500,000
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Reserved Balance	\$12,500,000	\$6,000,000	\$18,500,000	\$0	\$18,500,000
<u>Releases from Reserved Balance</u>					
	\$0	\$0	\$0		
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Total Releases	\$0	\$0	\$0		
<b>Remaining Reserved Balance</b>	<b>\$12,500,000</b>	<b>\$6,000,000</b>	<b>\$18,500,000</b>		

**SUMMARY**  
**JOINT COMMITTEE ON FINANCE**  
**FED APPROPRIATION STATUS**  
**2023-25 Biennium**  
**October 31, 2023**

	<u>2023-24</u>	<u>2024-25</u>	<u>2023-25 Biennium</u>	<u>Releases to Date</u>	<u>Remaining Reserve</u>
<b>Current Appropriation Amount [s. 20.865(4)(m)]</b>	\$0	\$0	\$0		
<u>Reserved For:</u>	\$0	\$0	\$0	\$0	\$0
<b>Reserved Balance</b>	\$0	\$0	\$0	\$0	\$0
<u>Releases from Reserved Balance</u>	\$0	\$0	\$0		
<b>Total Releases</b>	\$0	\$0	\$0		
<b>Remaining Reserved Balance</b>	\$0	\$0	\$0		