

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

March 28, 2023

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

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

Absent: Senator Stroebel

{Secretary's note: Items I, II, and III were taken up en masse in a single motion.}

I. Department of Justice

State of Wisconsin and Randy and Alan Schiferl d/b/a Schiferl Farms

II. Department of Justice

State of Wisconsin and American Express Excavation, LLC

III. Department of Justice

State of Wisconsin v. Kinnard Farms, Inc.

Moved by Representative Born and seconded by Senator Marklein to approve the three settlement agreements submitted by the department to the Committee 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, 15; Noes, 0; Absent 1



Daniel J. Subach, Acting Secretary

Date: March 31, 2023



Representative Born, Co-Chair

Date: 3/31/23



Tony Evers, Governor

Date: 4/05/23

SUMMARY

**DETAIL OF JOINT FINANCE COMMITTEE APPROPRIATED LEVELS
2021-23 Biennium
August 16, 2022**

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23 Biennium</u>
20.865(4)(a) Appropriation Total Summary - GPR			
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
 Current Total	 \$29,581,900	 \$234,897,000	 \$264,478,900
 20.865(4)(g) Appropriation Total Summary - PR			
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
 Current Total	 \$13,351,800	 \$5,351,800	 \$18,703,600
 20.865(4)(m) Appropriation Total Summary - FED			
	\$0	\$0	\$0
 Current Total	 \$0	 \$0	 \$0
 20.865(4)(u) Appropriation Total Summary - SEG			
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
 Current Total	 \$1,000,000	 \$1,500,000	 \$2,500,000

**SUMMARY
JOINT COMMITTEE ON FINANCE
GPR APPROPRIATION STATUS
2021-23 Biennium
August 16, 2022**

	2021-22	2022-23	2021-23 \$2,600,000	Releases to Date	Remaining Reserve
Current Biennial Appropriation Reserved Amount [s. 20.866(4)(a)]	\$29,448,300	\$234,763,400	\$264,211,700		
<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 Management	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	1,116,800	0
Reserve for Military Affairs -- Statewide Interoperable Radio Network (WISCOM)	0	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
Reserved Balance	\$29,448,300	\$234,763,400	\$264,211,700	\$41,772,000	\$222,439,700
<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		
Reserve for Agriculture, Trade and Consumer Protection -- Wisconsin Initiative for Agricultural Exports (s. 13.10 on 8/16/22)	-	558,400	558,400		
Total Releases	\$14,386,000	\$27,386,000	\$41,772,000		
Remaining Reserved Balance	\$15,062,300	\$207,377,400	\$222,439,700		
Current Biennial Appropriation Unreserved Amount [s. 20.866(4)(a)]	\$133,600	\$133,600	\$267,200		
<u>Releases from Unreserved Balance</u>					
Tourism -- Arts Board state aid for the federal match (s. 13.10 on 8/16/22)	\$0	\$107,400	107,400		
Total Releases	\$0	\$107,400	\$107,400		
Net Unreserved Balance Remaining	\$133,600	\$26,200	\$159,800		
TOTAL AVAILABLE	\$15,196,900	\$207,403,600	\$222,599,500		

SUMMARY
 JOINT COMMITTEE ON FINANCE
 PR APPROPRIATION STATUS
 2021-23 Biennium
 August 16, 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. 20.665(4)(g)]	\$13,351,800	\$5,351,800	\$2,500,000		
<u>Reserved For:</u>					
Reserve for Safety and Professional Services – eSLA Upgrades	\$3,000,000	\$2,000,000	\$5,000,000	\$5,000,000	\$0
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
Reserved Balance	\$13,351,800	\$5,351,800	\$16,703,600	\$17,270,000	\$1,433,600
<u>Releases from Reserved Balance</u>					
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)	2,835,000	2,835,000	5,270,000		
Reserve for Safety and Professional Services – eSLA Upgrades (passive review 6/22/22)	3,000,000	2,000,000	5,000,000		
Total Releases	\$12,835,000	\$4,835,000	\$17,270,000		
Remaining Reserved Balance	\$716,800	\$716,800	\$1,433,600		

SUMMARY
JOINT COMMITTEE ON FINANCE
SEG APPROPRIATION STATUS
2021-23 Biennium
August 16, 2022

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23</u> <u>Biennium</u>	<u>Releases</u> <u>to Date</u>	<u>Remaining</u> <u>Reserve</u>
Current Biennial Appropriation Amount [s. 20.085(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
Reserved Balance	\$1,000,000	\$1,500,000	\$2,500,000	\$2,500,000	\$0
<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		
Total Releases	\$1,000,000	\$1,500,000	\$2,500,000		
Remaining Reserved Balance	\$0	\$0	\$0		

SUMMARY
JOINT COMMITTEE ON FINANCE
FED APPROPRIATION STATUS
2021-23 Biennium
August 16, 2022

	<u>2021-22</u>	<u>2022-23</u>	<u>2021-23</u> <u>Biennium</u>	<u>Releases</u> <u>to Date</u>	<u>Remaining</u> <u>Reserve</u>
Current Biennial Appropriation Amount [s. 20.866(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		