

# STATE OF WISCONSIN

SENATE CHAIR  
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ASSEMBLY CHAIR  
**Mark Born**

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## JOINT COMMITTEE ON FINANCE

Minutes of the Meeting under s. 13.10

February 15, 2023

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

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

Absent: Representative Zimmerman, Senator Felzkowski

### I. Department of Natural Resources

Moved by Senator Marklein and seconded by Representative Born to provide a Knowles-Nelson Stewardship grant of \$400,000 from the local assistance subprogram to the Town of Grand Chute for the Arrowhead Park redevelopment project.

Ayes, 14; Noes, 0; Absent 2

### II. Department of Justice

Moved by Senator Marklein and seconded by Representative Born to approve the creation of 2.0 FTE GPR permanent positions in fiscal year 2022-23 in the department's general program operations appropriation under s. 20.455(1)(a) for field prosecutors based in Wausau and Appleton. The positions will replace 2.0 FTE GPR five-year project positions which will end in April, 2023.

Ayes, 14; Noes, 0; Absent 2

*{Secretary's note: Items III, IV, V, VI, VII, and VIII were taken up en masse in a single motion.}*

III. Department of Justice

*State of Wisconsin and Daniel T. Budenz*

IV. Department of Justice

*State of Wisconsin and Wisconsin Dairy State Cheese Co., Inc.*

V. Department of Justice

*State of Wisconsin and Marlin Shafer d/b/a Shady Oaks Mobile Home Park*

VI. Department of Justice

*State of Wisconsin and Gerke Excavating, Inc.*

VII. Department of Justice

*State of Wisconsin v. LandL Farms, LLC, and Robert L. Schussler, Case No. 20-CX-02 (Outagamie Co. Circuit Court)*

VIII. Department of Justice

*State of Wisconsin v. Ledgeview Farms, LLC, et al., Case No. 21-CX-0002 (Brown Co. Circuit Court)*

Moved by Senator Marklein and seconded by Representative Born to approve the six 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 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 Mar. 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

IX. Department of Transportation


Moved by Senator Johnson and seconded by Representative Goyke to approve alternatives A1, B1. The motion approves the department's plan, as amended by the department to reflect the most recent estimate of 2022-23 federal highway funds.

Ayes, 4; Noes, 10 (Marklein, Stroebel, Ballweg, Testin, Wimberger, Born, Katsma, Rodriguez, Kurtz, Dallman); Absent 2

Moved by Representative Born and seconded by Senator Marklein to approve Motion 4. The motion reads as follows: Move to approve the Department of Transportation's plan, as amended, to adjust the Department's 2022-23 appropriations to allocate additional federal aid, as modified by the following:

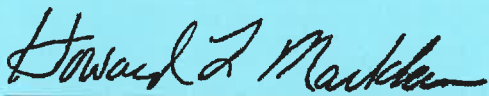
- (a) Specify that the \$4,201,000 FED in additional funds requested for the Department's congestion mitigation and air quality improvement program may only be used to fund eligible right-of-way improvement projects that reduce congestion or improve traffic flow, or eligible traffic signaling improvements.
- (b) Specify that the \$15,573,100 FED requested from the federal carbon reduction program may only be used for federally eligible projects to replace street lighting and traffic control devices with energy-efficient alternatives, projects to deploy advanced transportation and congestion management technologies, or right-of-way improvement projects to improve traffic flow that do not involve construction of new capacity.

Ayes, 11; Noes, 3 (Goyke, Johnson, Roys); Absent 2



Dustin Trickle, Secretary

Date: 2/24/23



Senator Marklein, Co-Chair

Date: 2/24/23



Tony Evers, Governor

Date: 2/27/23

**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>
<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
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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
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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
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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
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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**  
**August 16, 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>		
<b>Reserved For:</b>					
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
<b>Reserved Balance</b>	<b>\$29,448,300</b>	<b>\$234,763,400</b>	<b>\$264,211,700</b>	<b>\$41,772,000</b>	<b>\$222,439,700</b>
<b>Releases from Reserved Balance:</b>					
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		
<b>Total Releases</b>	<b>\$14,386,000</b>	<b>\$27,386,000</b>	<b>\$41,772,000</b>		
<b>Remaining Reserved Balance</b>	<b>\$15,062,300</b>	<b>\$207,377,400</b>	<b>\$222,439,700</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>		
<b>Releases from Unreserved Balance</b>					
Tourism – Arts Board state aid for the federal match (s. 13.10 on 8/16/22)	\$0	\$107,400	107,400		
<b>Total Releases</b>	<b>\$0</b>	<b>\$107,400</b>	<b>\$107,400</b>		
<b>Net Unreserved Balance Remaining</b>	<b>\$133,600</b>	<b>\$26,200</b>	<b>\$159,800</b>		
<b>TOTAL AVAILABLE</b>	<b>\$15,195,900</b>	<b>\$207,403,600</b>	<b>\$222,599,500</b>		

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>
<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>		
<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
<b>Reserved Balance</b>	<b>\$13,351,800</b>	<b>\$5,351,800</b>	<b>\$18,703,600</b>	<b>\$17,270,000</b>	<b>\$1,433,600</b>
<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)	2,635,000	2,635,000	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		
<b>Total Releases</b>	<b>\$12,635,000</b>	<b>\$4,635,000</b>	<b>\$17,270,000</b>		
<b>Remaining Reserved Balance</b>	<b>\$716,800</b>	<b>\$716,800</b>	<b>\$1,433,600</b>		

**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>
<b>Current Biennial Appropriation Amount [s. 20.865(4)(u)]</b>	<b>\$1,000,000</b>	<b>\$1,500,000</b>	<b>\$2,500,000</b>		
<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**  
**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>
<b>Current Biennial Appropriation Amount [s. 20.865(4)(m)]</b>	\$0	\$0	\$0		
<b>Reserved For:</b>					
	\$0	\$0	\$0	\$0	\$0
<b>Reserved Balance</b>	\$0	\$0	\$0	\$0	\$0
<b><u>Releases from Reserved Balance</u></b>					
	\$0	\$0	\$0		
<b>Total Releases</b>	\$0	\$0	\$0		
<b>Remaining Reserved Balance</b>	\$0	\$0	\$0		