



Legislative Fiscal Bureau

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July 6, 2015

TO: Senator Robert Cowles
Room 118 South, State Capitol

FROM: Bob Lang, Director

SUBJECT: Non-Fiscal Policy Items Contained Within 2015 AB 21/SB 21

The attached list identifies the non-fiscal policy items that are contained within 2015 AB 21/SB 21 (the Governor's 2015-17 budget recommendations) and within the Joint Finance Committee's version of the budget. The list is comprised of items that are primarily of a non-fiscal policy nature and not closely related to the state's fiscal programs for the next biennium.

Putting such a list together always requires some subjective judgment on which items should be identified. Arguments could be made to expand the list beyond what is presented here or to delete some items from it. However, in preparing the attached list, this office applied the same criteria that it has used in previous biennia when identifying provisions of the executive budget bill as non-fiscal policy items.

The criteria used are as follows: (1) generally, the item has no state fiscal effect; (2) if there is a state fiscal effect associated with an item, the policy implications of the provision outweigh any potential fiscal effect; (3) the item has been, or is, the subject of separate, non-budget legislation; (4) the item is one that typically would be reviewed by a standing committee of the Legislature; and (5) the provision could be accomplished without statutory directive, such as reports, studies, and audits. Items that typically are not included on the list are those that: (1) affect state program eligibility; (2) would generally be referred to the Joint Committee on Finance if introduced as separate legislation; and (3) address a reorganization or transfer of state government operations or functions.

The list is provided in two sections. Section 1 contains all non-fiscal policy items, identified by this office, contained in AB 21/SB 21, as introduced. The items that are shaded have been removed from the budget by the Finance Committee's Co-Chairs or by vote of the Committee. Items not shaded are included in the Finance Committee's version of the 2015-17 budget.

Section 2 lists those non-fiscal policy items that have been added to the budget by the Finance Committee.

Included are the page and item number showing where the provisions are described in the Legislative Fiscal Bureau's July, 2015, "Comparative Summary of Budget Recommendations of the Governor and Joint Committee on Finance."

BL/sas
Attachment

NON-FISCAL POLICY ITEMS

SECTION 1

2

Items Included In AB 21/SB 21, as Introduced

ADMINISTRATION

General Agency Provisions

- * • Eliminate General Requirements for Cost-Benefit Analysis (Page 29, #19)
- * • Contractual Services Definition (Page 30, #20)
- Modify Prison Industries Procurement Pricing Rule (Page 30, #21)

Transfers

- * • Electronic Recording and Delivery of Worker's Compensation Hearing Testimony and Materials (Page 43, #6; Page 816, #4; and Page ~, #4 & 5)

Hearings and Appeals

- * • Historic Preservation Appeals Process and Funding (Page 52, #5 and Page 368, #9)

AGRICULTURE, TRADE AND CONSUMER PROTECTION

- * • Convert Board of Agriculture, Trade and Consumer Protection to an Advisory Council (Page 73, #7)

BUILDING COMMISSION

- * • Modifications to Building Commission's Authority (Page 101, #4)
- * • Building Program Project Thresholds (Page 103, #5)
- * • Transfer Authority to Contract for Operating Notes to DOA (Page 105, #6)
- * • Authority to Contract for Public Debt and Revenue Obligations (Page 106, #7)

CHILDREN AND FAMILIES

Economic Support and Child Care

- W-2 Community Steering Committees (Page 146, #6)

Child Support

- Filing Fee Exemption for Voluntary Paternity Acknowledgment (Page 158, #2)
- Requiring Financial Institutions to Pay Levies Submitted by Other States (Page 158, #3)
- Assignment of Benefits for Child Support (Page 159, #4 and Page 201, #8)

CORRECTIONS

Adult Corrections

- ** • Correctional Officer Pre-Service Training Standards Board (Page 176, #10)

DISTRICT ATTORNEYS

- Special Prosecutor Appointments (Page 189, #5)
- Increase Authorized Deputy District Attorneys (Page 191, #7)

EMPLOYEE TRUST FUNDS

- * • Group Insurance Board Term Length (Page 201, #10)

GENERAL PROVISIONS

- Cost of Blood Withdrawals Related to Intoxicated and Reckless Flying Violations (Page 266, #1)
- Crime Prevention Funding Board (Page 266, #2)

HEALTH SERVICES

Public Health and Other Programs

- Requirement for Pharmacists to Update Immunization Registry (Page 351, #8)

HISTORICAL SOCIETY

- Exemption of Certain Documents from State Document Distribution Requirements (Page 369, #11)

LEGISLATURE

- ** • Judicial Compensation Commission and the Joint Committee on Employment Relations (Page 415, #8 and Page 652, #6)

NATURAL RESOURCES

Departmentwide

- * • Convert Natural Resources Board to an Advisory Council (Page 448, #10)

Parks and Forestry

- Relocation of Division of Forestry Headquarters Plan (Page 467, #10)

PUBLIC INSTRUCTION

Categorical Aids

- School District Participation in Cooperative Educational Service Agencies (CESAs) (Page 516, #9)

Choice, Charter, and Open Enrollment

- Private School Choice Programs -- Assessments (Page 526, #11)
- Private School Choice Programs -- School Notice of Participation Date (Page 530, #15)
- Private School Choice Programs -- Teacher and Administrator Requirements (Page 530, #16)
- Private School Choice Programs -- Grade Information Provided to DPI (Page 530, #17)
- Private School Choice Programs -- Eliminate Pupil Assignment Council (Page 530, #18)
- ** • Charter School Oversight Board (Page 533, #26)
- Charter School Authorizing Entity Duties (Page 537, #28)
- Contract Requirements for Independent "2R" Charter Schools (Page 538, #29)
- Charter School Governing Boards (Page 539, #30)
- Charter School Admissions (Page 539, #31)

District Operations and Standards

- Educational Standards (Page 547, #1)
- School Accountability Reports (Page 547, #2)
- Notice of Educational Options (Page 550, #3)
- Whole Grade Sharing (Page 550, #4)

SHARED REVENUE AND TAX RELIEF

Property Taxation

- * • County, Regional, and City Assessment (Page 626, #1 and Page 593, #3)
- Property Tax Bill Information (Page 632, #2)

TRANSPORTATION

Local Transportation Assistance

- Rail Property Exemption from Local Special Assessment (Page 672, #5)

State Highway Program

- ** • Construction Manager/General Contractor Pilot Program (Page 684, #11)

UNIVERSITY OF WISCONSIN SYSTEM

- * • Exempt Research and Studies from Public Inspection (Page 752, #52)

WISCONSIN TECHNICAL COLLEGE SYSTEM

- * • Tuition Freeze for High Demand Fields (Page 794, #8)
- Joint Self-Insured Plans (Page 795, #9)

WORKFORCE DEVELOPMENT

Worker's Compensation

- Worker's Compensation Coverage for Postsecondary Students (Page 816, #3)

*Removed by the Joint Finance Committee's Co-Chairs.

**Deleted by the Joint Finance Committee.

SECTION 2

Items Added by the Joint Committee on Finance

ADMINISTRATION

General Agency Provisions

- Energy Efficient Building Designer Certification (Page 32, #25)
- State Agency Leases Outside Dane and Milwaukee Counties (Page 32, #26)
- Eliminate Certain Boards and Councils (Page 33, #29)

Division of Gaming

- Progressive Raffles (Page 64, #3)

AGRICULTURE TRADE AND CONSUMER PROTECTION

- Dissolution of Drainage Districts (Page 81, #22)

BUILDING COMMISSION

- Contracting Requirements (Page 108, #11)

BUILDING PROGRAM

- State Transportation Building Replacement -- Exemption from Local Zoning (Page 117, #17)

CHILDREN AND FAMILIES

Departmentwide

- Surplus Retention Limitations for Providers of Rate-based Services (Page 126, #8 and Page 170, #12)

CORRECTIONS

Adult Institutions

- Workforce Development Reentry and Assessment Initiative (Page 176, #11)

EMPLOYEE TRUST FUNDS

- Annual Changes to the State Group Health Insurance Program (Page 202, #11)
- Group Insurance Board Changes (Page 203, #12 and Page 416, #10)

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EMPLOYMENT RELATIONS COMMISSION

- General Employee Labor Union Recognition Elections (Page 207, #4)
- High Deductible Health Plan Alternative for Local Protective Service Employees (Page 208, #5)

FINANCIAL INSTITUTIONS

- Expand Payday Lender Authority (Page 219, #9)

GENERAL FUND TAXES

Regulation of Alcohol Beverages

- Retail Alcoholic Beverage License Modifications (Page 264, #1)
- Retail Sales of Hard Cider (Page 265, #2)
- "Class B" Liquor License Quota Exemption (Page 265, #3)
- Modify DOR Authority to Issue a Retail Alcohol Permit (Page 265, #4)

GENERAL PROVISIONS

- New Method for Towns Contiguous to a Third Class City to Incorporate (Page 268, #3)
- Energy Savings Performance Contracting (Page 270, #4)
- Pay for Performance Contracts (Page 136, #11 and Page 271, #5)
- Madison Metropolitan Sewerage District (Page 271, #6)
- Garnishee Fees (Page 273, #7)
- Self-Insurance for School Districts and Local Units of Government (Page 273, #8)
- Mental Injury Duty Disability Benefits from Retirement Systems of First Class Cities and Counties with a Population of 500,000 or More (Page 273, #9)
- Definition of Public Records (Page 274, #10)
- Extension of Water or Sewer Service Between Municipalities (Page 274, #11)
- Prohibit Local Governments from Imposing Time of Sale Requirements (Page 274, #12)
- Duties and Powers of the County Executive in Populous Counties (Page 275, #13)
- Limitation on Town and County Conditional Use and Insurance Requirements (Page 276, #14)
- Modifications to Statutes Governing Conduit Revenue Bonds (Page 276, #15)

HEALTH SERVICES

Medical Assistance -- Long-Term Care Services

- County-to-County Nursing Home Bed Transfers (Page 322, #9)
- Provision of Additional Nursing Home Beds (Page 323, #11)

Public Health and Other Programs

- Ambulance Staffing of Paramedics (Page 352, #12)
- Lead-Bearing Paint -- Definitions and Penalties (Page 352, #13)

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INSURANCE

- Pharmacy Benefit Manager Regulation (Page 374, #12)
- Authorization for Out-Of-State Risk Retention Groups to Sell Medical Liability Insurance in Wisconsin (Page 375, #13)
- Dispute Resolution Process Relating to Health Insurance Coverage Of Chiropractic Treatment (Page 375, #14)

JUSTICE

- Investigative Reports Released to the Public Related to Officer-Involved Deaths (Page 401, #20)
- Marquette University Police Officers (Page 401, #21)

LEGISLATURE

- Legislative Records and Correspondence (Page 417, #11)
- Legislative Reference Bureau Records and Communications (Page 417, #12)
- Nonpartisan Legislative Services Agencies' Communications (Page 418, #13)
- Legislator Disclosure Privileges (Page 418, #14)
- Gubernatorial Authority to Direct the Audit Bureau (Page 419, #15)
- Membership of the Joint Survey Committee on Retirement Systems (Page 419, #16)
- 100th Anniversary State Capitol Commemoration Commission (Page 420, #18)

NATURAL RESOURCES

Parks and Forestry

- Managed Forest Law Group Certification Opt-In (Page 469, #13)
- Northern State Forests Master Plans and Timber Production (Page 470, #15)
- Silviculture and Recreational Trails (Page 472, #16)
- Forestry Account Audit (Page 472, #17)

Fish, Wildlife, and Recreation

- Urban Bowhunting (Page 474, #3)
- Utility Terrain Vehicle Definition (Page 479, #11)

Environmental Quality

- Vilas County Dam Water Level Orders (Page 481, #2)
- Dam Water Flow Regulation (Page 481, #3)
- Shoreland Zoning Standards and Ordinances (Page 485, #9)
- Culverts Permitting (Page 487, #10)
- Areawide Water Quality Management Planning for Dane County (Page 494, #21)

PUBLIC INSTRUCTION

Choice, Charter and Open Enrollment

- Milwaukee Choice Program Research (Page 531, #19)
- Statewide Private School Choice Programs -- Document Retention Policy (Page 532, #23)
- Additional Charter School Authorizers (Page 536, #27)
- Special Needs Voucher Program (Page 542, #36)
- Tuition for Pupils Attending a School Out-of-State (Page 546, #37)

District Operations

- Participation in Athletics and Extra-Curricular Activities (Page 554, #5)
- Geographic Representation for School Board of Unified School Districts (Page 555, #7)
- Sale of Excess Property (Page 556, #8)
- Teacher and Administrator Contract Renewals (Page 556, #9)
- High School Graduation Standards (Page 557, #10)
- Opportunity Schools and Partnership Programs (Page 557, #11)

Administrative and Other Funding

- Alternative Teaching License (Page 573, #17)
- Teaching License Based on Completion of Montessori Teacher Education Program (Page 576, #18)
- Civics Assessment Requirement for High School Graduation (Page 578, #24)
- Regional or National Accreditation of Teacher Education programs (Page 579, #25)
- Requirements to Renew a Teaching License (Page 579, #26)

PUBLIC SERVICE COMMISSION

- Regulation of Alternative Telecommunications Utilities (Page 587, #14)
- Definition of Essential Telecommunications Services (Page 587, #15)
- Condemnation Authority for Oil Pipeline Companies (Page 587, #17)

REVENUE

Lottery Administration

- Employment of Terminated Lottery Division Employees (Page 598, #4)

SAFETY AND PROFESSIONAL SERVICES

Agencywide Provisions

- Automatic Fire Sprinklers in One- and Two-Family Dwellings (Page 606, #14)
- Religious Waivers to Certain One- and Two-Family Building Code Provisions (Page 606, #15)
- Septic and Well Pump Installer Electrician License Exemption (Page 608, #16)
- Local Electrical and Multifamily Sprinkler Code Ordinances (Page 608, #17)

SHARED REVENUE AND TAX RELIEF

Property Taxation

- Settlement of Delinquent Assessments and Charges (Page 634, #6)

Local Revenue Options

- Premier Resort Area -- City of Rhinelander (Page 634, #1)
- Local Government Lodging ("Room") Tax (Page 635, #2)
- Public Fire Protection Charges (Page 637, #3)

SUPREME COURT

- Director of State Courts Operating Under the Direction of the Supreme Court (Page 653, #9)
- CCAP Definition and Removal of Certain Information from WCCA (Page 653, #10)

TRANSPORTATION

Local Transportation Aid

- Milwaukee County and Provision of Services or Funds for a Rail Fixed-Guideway Transit System (Page 670, #5)

Local Transportation Assistance

- Pedestrians Crossing Railroads (Page 672, #4)

State Highway Program

- Audit of the Department of Transportation's State Highway Program (Page 687, #14)
- Conformity with Federal Weight Limits on I-41 (Page 688, #15)

Motor Vehicles

- Use of Tractors for Special Occasions Without Registration (Page 691, #4)
- Scrap Metal and Motor Vehicle Salvage Dealers (Page 691, #5)

UNIVERSITY OF WISCONSIN SYSTEM

- Applicants for UW Positions (Page 717, #34)
- Accountability Measures (Page 717, #35)
- Office of Educational Opportunity (Page 718, #37)

Create UW System Authority

- Delete Language Related to Faculty Tenure and Probationary Appointments (Page 734, #26)
- Delete Procedural Guarantees for Faculty and Academic Staff (Page 734, #27)
- Access and Audits by the Legislative Audit Bureau (Page 750, #50)

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Delete Current Law Related to the UW System

- Shared Governance (Page 757, #1)

WISCONSIN ECONOMIC DEVELOPMENT CORPORATION

- Remove Governor from WEDC Board (Page 784, #6)
- Delegate Powers or Duties of the Board (Page 784, #7)

WISCONSIN TECHNICAL COLLEGE SYSTEM

- Student Fees for Accident Insurance (Page 798, #11)
- Definition of Employer Representative on Milwaukee Area Technical College District Board (Page 798, #12)
- Technical College Age Eligibility (Page 798, #13)

WORKFORCE DEVELOPMENT

Departmentwide

- DWD and Department of Corrections Offender Reentry and Assessment Initiative (Page 807, #12)
- Opt-Out of One Day of Rest in Seven (Page 807, #14)
- Statutory Minimum Wage Requirement (Page 808, #16)