



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda JUDICIARY & LEGISLATION COMMITTEE

ALD. ASHANTI HAMILTON, CHAIR

Ald. Terry Witkowski, Vice-Chair

**Ald. James Bohl, Jr., Ald. Joe Davis, Sr., and Ald. Robert
Donovan**

Staff Assistant, Joanna Polanco, 286-2366

Fax: 286-3456, jpolan@milwaukee.gov

**Legislative Liaison, Richard Withers, 286-8532,
rwithe@milwaukee.gov**

Thursday, March 10, 2011

1:30 PM

Room 301-B, City Hall

AMENDED 3/7/11- Item Numbered #12 (File Number 101310) has been added.

1. [101398](#) Appointment of Shirley Krug to the Community Relations-Social Development Commission by the Mayor.

 Sponsors: THE CHAIR

 Attachments: [Appointment Letter](#)
 [Hearing Notice List](#)

2. [101322](#) Substitute resolution authorizing the return of real estate located at 2507 N. 60th Street, in the 10th Aldermanic District to its former owner. (Flagstar Bank FSB C/o Perla L Cardenas and Jason Shumpert)

 Sponsors: THE CHAIR

 Attachments: [Application](#)
 [Dept of City Development letter](#)
 [Treasurer's Office response](#)
 [Dept of Neighborhood Services](#)
 [Hearing Notice List](#)

3. [101371](#) Resolution relating to an appeal from Luis Giraldez Pizarro for property damage.

 Sponsors: THE CHAIR

 Attachments: [City Attorney Letter](#)
 [Appeal](#)
 [Hearing Notice List](#)

 ---\$573.83

4. [101359](#) Resolution relating to the claim of the Joel Bojarski, manager for Midwest Fiber Networks for property damage. (8th Aldermanic District)

 Sponsors: THE CHAIR

Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)

---\$23,490.00

5. [101356](#) Resolution relating to an appeal from Danny Miller for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)

---\$992.22

6. [101329](#) Resolution relating to the claim of the Cruz Maria Martinez for personal injuries. (12th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)

---\$75,000

7. [101325](#) Resolution relating to the claim of the Nastassia Putz for personal injuries.

Sponsors: THE CHAIR

Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)

---\$239,633.19

8. [101324](#) Resolution relating to the claim of the Tyrone Diggs for property damage. (6th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)

---\$7,373.73

9. [101320](#) Resolution relating to the claim of the Atty. James Gende on behalf of Nancy Markowski for personal injuries. (3rd Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)

---\$15,000

10. [101321](#) Resolution relating to an appeal from Atty. Hannah Dugan on behalf of Joe Kuykendoll for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)

---\$2,780

11. [101313](#) Resolution relating to the claim of the Joyce Olden for personal injuries. (7th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Attorney Letter.doc](#)
[Appeal](#)
[Hearing Notice List](#)

---\$10,000

12. [101310](#) Substitute resolution expressing the City of Milwaukee's support for maintaining local control over residency rules.

Sponsors: Ald. Hines Jr., Ald. Hamilton, Ald. Witkowski, Ald. Murphy, Ald. Davis, Ald. Witkowiak, Ald. Bauman, Ald. Wade, Ald. Zielinski, Ald. Coggs, Ald. Kovac and Ald. Puente

13. [101360](#) Resolution relative to legislative bills.

Sponsors: THE CHAIR

Attachments: [Agenda 03-10-11](#)
[SB-27](#)
[AB-40](#)
[Hearing Notice List](#)

--- SB - 27 2011 Executive Budget

--- AB - 40 State finances and appropriations, constituting the executive budget act of the 2011 legislature.

This meeting will be webcast live at www.milwaukee.gov/channel25.

Members of the Common Council and its standing committees who are not members of this committee may attend this meeting to participate or to gather information. Notice is given that this meeting may constitute a meeting of the Common Council or any of its standing committees, although they will not take any formal action at this meeting.



Legislation Details (With Text)

File #: 101398 **Version:** 0

Type: Appointment **Status:** In Committee

File created: 3/1/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Appointment of Shirley Krug to the Community Relations-Social Development Commission by the Mayor.

Sponsors: THE CHAIR

Indexes: APPOINTMENTS, SOCIAL DEVELOPMENT COMMISSION

Attachments: Appointment Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

101398

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Appointment of Shirley Krug to the Community Relations-Social Development Commission by the Mayor.

Drafter

Mayor

TB

3/1/11

March 1, 2011

To the Honorable, the Common Council
of the City of Milwaukee

Honorable Members of the Common Council,

I am pleased to appoint Shirley Krug, Zeidler Municipal Building, 841 N. Broadway, 5th Floor, Milwaukee, WI 53202, to replace Jennifer Gonda on the Community Relations-Social Development Commission. This appointment is pursuant to Section 30.37 of the Wisconsin State Statutes and Section 320-23 of the Milwaukee Code of Ordinances. Ms. Krug's term will commence upon taking oath of office.

I trust this appointment will have the approval of your Honorable Body.

Respectfully submitted,

Tom Barrett
Mayor

NOTICES SENT TO FOR FILE 101398:

[illegible]



Legislation Details (With Text)

File #:	101322	Version:	1
Type:	Resolution	Status:	In Committee
File created:	3/1/2011	In control:	JUDICIARY & LEGISLATION COMMITTEE
On agenda:		Final action:	
Effective date:			
Title:	Substitute resolution authorizing the return of real estate located at 2507 N. 60th Street, in the 10th Aldermanic District to its former owner. (Flagstar Bank FSB C/o Perla L Cardenas and Jason Shumpert)		
Sponsors:	THE CHAIR		
Indexes:	IN REM JUDGMENTS		
Attachments:	Application, Dept of City Development letter, Treasurer's Office response, Dept of Neighborhood Services, Hearing Notice List		

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

101322

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2507 N. 60th Street, in the 10th Aldermanic District to its former owner. (Flagstar Bank FSB C/o Perla L Cardenas and Jason Shumpert)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 2507 N. 60th Street, previously owned by Perla L Cardenas and Jason Shumpert represented by Flagstar Bank FSB, has delinquent taxes for 2007-2008 & 2010 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated November 22, 2010; and

Whereas, Flagstar Bank FSB on behave of Perla L Cardenas and Jason Shumpert, would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since November 22, 2010; and

Whereas, Flagstar Bank FSB, on behave of Perla L Cardenas and Jason Shumpert, has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are

detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2507 N. 60th Street, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 10CV013134 known as the 2010-02 In Rem Parcel 43, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

jp

3/2/11

WAYNE F. WHITTOW
City Treasurer




James L. Hanna
Deputy City Treasurer

James F. Klajbor
Special Deputy City Treasurer

OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

February 14, 2011

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow 
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 330-1244-000-1
Address: 2507 2507 N 60TH ST
Owner Name: PERLA L CARDENAS JASON SHUMPERT
Applicant/Requester: FLAGSTAR BANK FSB
2010-02 Inrem File
Parcel: 43
Case: 10 CV 013134

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 11/22/2010.

WFW/slk

REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 2507 N. 60th St., Milwaukee, WI 53210
TAXKEY NUMBER 330-1244-1
NAME OF APPLICANT Flagstar Bank, FSIB
MAILING ADDRESS Gray Associates, LLP, c/o D'Amato & Haskins, 16345 W. Glendale Dr., New Berlin WI 53151-2841 (414) 224-1741
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES _____ NO X

If no, describe interest in this property Flagstar holds a 1st mortgage on this property in the amount of \$178,386.00. Mortgage recorded on 11-12-07 as Doc No. 9522167.

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

MILWAUKEE CITY TREASURER
RECEIVED ON
FEB 14 AM 9:29

None

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES X NO _____

→ Attached.

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES X NO _____

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE

D'Amato & Haskins, Paralegal
Gray + Associates, LLP

DATE 2-10-11

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	1,370.00

Date 2/14/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2010 - 02
WholeTaxkey: 330-1244-000-1
Property Address: 2507 2507 N 60TH ST
Owner Name PERLA L CARDENAS
JASON SHUMPERT
Applicant: Flagstar Bank FSB

Parcel Number: 43
CaseNumber: 10 CV 013134



Payment Receipt

CT-11

Office of the City Treasurer : City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Flagstar Bank

Tax Account No.: 330-1244-1

Property Address: 2507 N 60th St
M+I Bank 000 476 497

Cash \$ _____ Check \$ 1,370.00

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: _____

Current Collection Tax Payment ☐

Duplicate Tax Bill Fee ☐ Other ☒

Op to waive City's judgment

Received by: Mail

Date: 2/14/11



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

March 3, 2011

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:


Re: File Number 101322
2507 North 60th Street

The Department of City Development reports that the tax foreclosed property located at 2507 North 60th Street, Tax Key No. 330-1244-000-1, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

Administrative costs incurred by our Department total \$764.52.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,



Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office

March 3, 2011

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 101322 Reopening and Vacating InRem Judgment
Tax Key No.: 330-1244-000-1
Address: 2507 N 60TH ST
Owner Name: PERLA L CARDENAS JASON SHUMPERT
Applicant/Requester: FLAGSTAR BANK FSB
2010-02 in rem, Parcel: 43
Case: 10 CV 013134, Acquired: 11/22/2010

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN MAR	IF PAID BY APR 26, 2011
2007-2008 & 2010	\$5,340.59	\$5,340.59
Interest	\$372.19	\$424.25
Penalty	\$186.09	\$212.12
TOTAL*	\$5,898.87	\$5,976.96

***The above figures may change prior to payment due to possible additional costs.**

WFW/slk



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

March 2, 2011

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 101322
Address 2507 N 60th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen
Business Operations Manager

NOTICES SENT TO FOR FILE 101322:

[illegible]



Legislation Details (With Text)

File #: 101371 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/1/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Luis Giraldez Pizarro for property damage.

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101371
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relating to an appeal from Luis Giraldez Pizarro for property damage.
Drafter
CC-CC
dkf
2/28/11

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys

**CITY OF
MILWAUKEE**
Office of the City Attorney

THOMAS C. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRLICH
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
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THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

January 31, 2011

Luis Giraldez Pizarro
2141 South 68th Street
West Allis, WI 53219

RE: Luis Giraldez Pizarro
C.I. File No.: 10-S-430

Dear Mr. Giraldez Pizarro:

We have received your claim in the amount of \$573.83, relating to the alleged damage to your vehicle on November 19, 2010 that occurred during the towing of your car.

Our investigation reveals that your 2004 Honda was towed for being Parked In A Tow Away Zone. The PT-27 form completed prior to the tow and the tow forms show none of the alleged damage to the front bumper. Since there is no evidence to support your belief that the alleged damage occurred during the tow process, the City cannot accept liability and we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT OVERHOLT
Investigator Adjuster

RMO:ms
1044-2010-3326:165806

DAMAGE TO VEHICLE

Luis M Giraldez Pizarro
2141 S 68th St.
West Allis, WI 53219
(414) 581-5284
giralde2@uwm.edu

February 18, 2011

Milwaukee City Clerk
200 East Wells Street
City Hall, Room 205
Milwaukee, WI 53202
414-286-2221

PLS. NOTE -
DENIAL LTR.
SENT TO CLERK.
ON 01-31-11

Dear Grant F. Langley:

I have received your letter in response to my claim in the amount of \$573.83, relating to the alleged damage to my vehicle on November 19, 2010 that occurred during the towing of my car.

I want to appeal the decision of the City, in regards of not accepting liability and denying my claim.

In order to prove that a negligent action has been made during the towing of my vehicle, I wish to request a hearing in this matter.

Sincerely,


Luis M. Giraldez Pizarro

CITY OF MILWAUKEE
RECEIVED
2011 FEB 23 PM 2:57
OFFICE OF
CITY ATTORNEY

DAMAGE TO VEHICLE

Luis M Giraldez Pizarro
2141 S 68th St.
West Allis, WI 53219
(414) 581-5284
giralde2@uwm.edu

November 30, 2010

City Clerk's Office
200 East Wells Street
City Hall, Room 205
Milwaukee, WI 53202
414-286-2221

Dear Ronald D. Leonhardt:

My 2004 Honda Civic with the temporary License Plate Number F82084 was towed on 11/19/2010; from North Barlett Avenue, which is close to the intersection of East Hampshire Avenue around 11:00 am to the Milwaukee Tow Lot at Lincoln Avenue.


After paying the respective fees I was able to pick up my car.

When I was inspecting the car, I noticed damage to the front bumper on the passenger side, due to towing service negligence. I recently purchased this car from Schlossman Imports on 11/04/2010, fully inspected prior to the sale, with out any damage in the mentioned part.

I am requesting a proper fixing of the damage, acquired from a negligent towing service and reckless care at the moment of towing this vehicle. The amount to fix the damage is \$573.83.

Attached to this letter are the estimate of the damages from Schlossman Imports and a picture of the damage bumper.

Sincerely,


Luis M. Giraldez Pizarro

CITY OF MILWAUKEE
10 DEC - 1 AM
RONALD D. LEONHARDT
CITY CLERK
CITY OF MILWAUKEE
RECEIVED
414 DEC - 1 PM 3:44
OFFICE OF
CITY ATTORNEY

STATE USE ONLY

CUSTOMER INFORMATION

TOW #: 1475617
 DATE: 11-19-10
 CLERK ID: JC 33

NAME: LUIS M. GIRALDEZ PIZARRO
 ADDRESS: 2141 S. 68th. St. West Allis, WI
 PHONE #: 414-581-5284
53219

PHOTOS TAKEN ☒ YES ☐ NO
 PHOTOS ATTACHED ☒ YES ☐ NO
 ALL FORMS COMPLETED ☐ YES ☐ NO

DATE FILED: _____

***Complaint must be signed by citizen completing form.

CITIZEN'S STATEMENT

The car Honda Civic 2004 with temporary License Plate Number F8208T was towed the date 11-19-10 from N. Barlett ave. close to the intersection with E. Hampshire around 11:00am to the Milwaukee Tow Lot at Lincoln Ave.

After paying the respective fee I was able to pick up my car.

After inspecting the car I noticed a damage in the front bumper in the passenger side. This car was purchased recently on 11/04/10 full inspected prior the sell, with out any damaged in the mentioned part.

I request a proper fixing due to a not proper towing service and reckless care at the moment of towing this vehicle.

Sincerely

LUIS GIRALDEZ
[Signature]
 ***SIGNATURE

D.L.# G643-5338-0055-04
11-19-10
 DATE

11/26/2010 at 10:28 PM
30749

Job Number:

SCHLOSSMAN IMPORTS, INC.
HONDA CITY www.hondacity.net
3450 SO. 108TH. STREET
3allenl@schlossmannauto.com
GREENFIELD, WI 53227
(414)328-3500x163 Fax: (414)328-3515

PRELIMINARY ESTIMATE

Written By: Allan Lloyd
Adjuster:

Insured: LUIS GIRALDEZ
Owner: LUIS GIRALDEZ
Address: 2141 SO 68TH ST
WEST ALLIS, WI 53219
Day: (414)581-5284

Claim #
Policy #
Deductible:
Date of Loss:
Type of Loss:
Point of Impact:

Inspect
Location:

Insurance -
Company:

Days to Repair

2004 HOND CIVIC SI 4-2.0L-FI 3D H/B Int:

VIN: SHHEP33564U501099 Lic:

Prod Date:

Odometer:

Air Conditioning	Rear Defogger	Tilt Wheel
Cruise Control	Intermittent Wipers	Keyless Entry
Rear Window Wiper	Tinted Glass	Body Side Moldings
Dual Mirrors	Console/Storage	Electric Glass Sunroof
Rear Spoiler	Clear Coat Paint	Power Steering
Power Brakes	Power Windows	Power Locks
Power Mirrors	AM Radio	FM Radio
Stereo	CD Player	Anti-Lock Brakes (4)
Driver Air Bag	Passenger Air Bag	4 Wheel Disc Brakes
Cloth Seats	Bucket Seats	5 Speed Transmission
Overdrive	Aluminum/Alloy Wheels	

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
1		FRONT BUMPER				
2		O/H bumper assy			2.0	
3*	Rpr	Bumper cover			2.0	2.8
4		Add for Clear Coat				1.1
Subtotals ==>				0.00	4.0	3.9

11/26/2010 at 10:28 PM
30749

Job Number:

PRELIMINARY ESTIMATE

2004 HOND CIVIC SI 4-2.0L-FI 3D H/B Int:

Parts			0.00
Body Labor	4.0 hrs @ \$ 52.00/hr		208.00
Paint Labor	3.9 hrs @ \$ 52.00/hr		202.80
Paint Supplies	3.9 hrs @ \$ 34.00/hr		132.60

SUBTOTAL		\$	543.40
Sales Tax	\$ 543.40 @ 5.6000%		30.43

GRAND TOTAL		\$	573.83
ADJUSTMENTS:			
Deductible			0.00

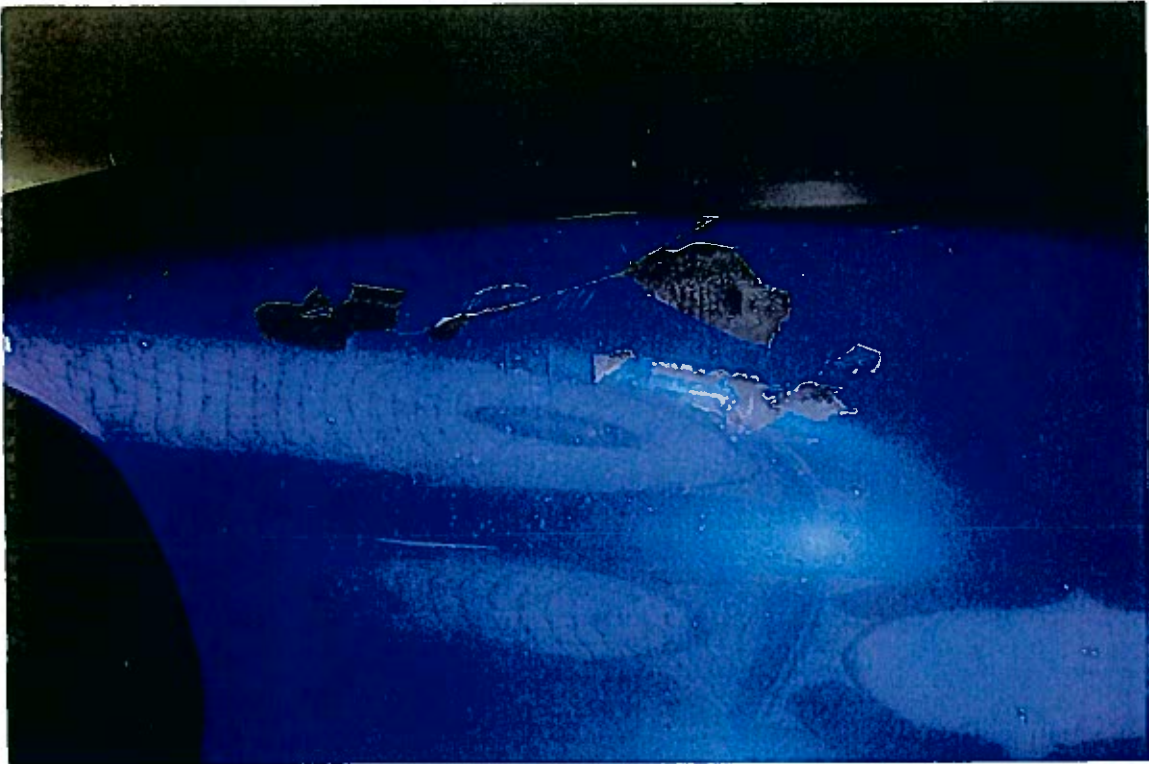
CUSTOMER PAY		\$	0.00
INSURANCE PAY		\$	573.83

MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132, WIS. ADM. CODE, ADMINISTERED BY THE BUREAU OF CONSUMER PROTECTION, WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, P.O. BOX 8911, MADISON, WISCONSIN 53708-8911.

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide ARG4441, CCC Data Date 10/15/2010, and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships. OPT OEM or ALT OEM parts may reflect some specific, special, or unique pricing or discount. OPT OEM or ALT OEM parts may include "Blemished" parts provided by OEM's through OEM vehicle dealerships. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. Non-Original Equipment Manufacturer aftermarket parts are described as AM, Qual Repl Parts or Comp Repl Parts which stands for Competitive Replacement Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries. Some 2010 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The Pathways estimator has a complete list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

CCC Pathways - A product of CCC Information Services Inc.

● 增加反洗钱之义务：金融机构



CONCLUSIONS AND RECOMMENDATIONS

NOTICES SENT TO FOR FILE 101371:

[illegible]



Legislation Details (With Text)

File #: 101359 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/1/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of the Joel Bojarski, manager for Midwest Fiber Networks for property damage. (8th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/25/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101359
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution relating to the claim of the Joel Bojarski, manager for Midwest Fiber Networks for property damage. (8th Aldermanic District)

Requestor
City Attorney

Drafter

JAS:ms

February 23, 2011

1029-2011-503:166623

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
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MIRIAM R. HORWITZ
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BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

February 23, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of Midwest Fiber Networks
C.I. File No. 11-L-19

Dear Council Members:

We return the enclosed documents which, has been filed with the City Clerk, and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Midwest Fiber Networks, by Joel Bojarski, Operations Manager, 3701 West Burnham Street, Suite C, Milwaukee, WI 53215, allege that on October 28, 2010 their fiber was damaged by a City contractor at North 3rd Street and West Chamber Street. They claim damages in the amount of \$23,490.00.

Our investigation reveals that the Infrastructure Services Division records indicate that the Department of Public Works – Infrastructure Services Street Maintenance did not have any maintenance projects along North Dr. Martin Luther King, Jr. Drive (North 3rd Street) at West Chambers Street in October, 2010. The reconstruction of North Dr. Martin Luther King, Jr. Drive between West McKinley Avenue and West Burleigh Street is a State of Wisconsin paving project, State ID No. 2984-03-70. Their contact information is the **State of Wisconsin Department of Transportation, District 2, Attention: Jason Roselle, 141 NW Barstow Street, P.O. Box 798, Waukesha, WI 53187-0798**. The contractor involved is **Payne & Dolan, Inc., N3 W3650 Badinger Road, P.O. Box 781, Waukesha, WI 53187**. Since the City is not involved with the project, it cannot accept liability. Therefore, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2011-503:166621

INVOICE

3701 W BURNHAM ST, STE C
MILWAUKEE, WI 53215
(414) 672-5612

CUST CITY OF MILWAUKEE
ATTN: CLAIMS
200 E. WELLS ST ROOM 205
MILWAUKEE, WI 53202

PROJ DAMAGE - 3RD AND CHAMBERS

ACCOUNT NO	PROJ NUMBER	APPLICATION	INVOICE DATE	TERMS	PAGE
MILW1000	10105081	609	1/31/2011	Net 30	1

DESCRIPTION	TOTAL
10/28/10-MWFN DISCOVERED THAT OUR FIBER WAS DAMAGED IN CITY CONDUIT DUE TO A CITY CONTRACTOR WORKING IN THE AREA.	0.00
TEMPORARY AND PERMANENT REPAIR	23,490.00

TOTAL AMOUNT DUE: 23,490.00

CITY OF MILWAUKEE
2011 FEB -3 PM 4:00
RONALD D. L. JARSKI
CITY CLERK

CITY OF MILWAUKEE
2011 FEB -4 PM 3:26
OFFICE OF
CITY ATTORNEY

JOEL BOJARSKI
OPERATIONS MANAGER

3701 W. BURNHAM STREET
SUITE C
MILWAUKEE, WI 53215
414.459.3551 DID
414.672.5612 TEL
414.397.6813 CEL
866.831.1661 NOC
JBOJARSKI@
MIDWESTFIBERNETWORKS.COM

MIDWEST FIBER NETWORKS

Johanna Merrill

From: Joel Bojarski
Sent: Wednesday, January 26, 2011 2:30 PM
To: Johanna Merrill
Subject: FW: 3rd and Chambers

From: Rogne, Karen [<mailto:Karen.Rogne@milwaukee.gov>]
Sent: Thursday, November 11, 2010 4:22 PM
To: Joel Bojarski
Cc: DesJardins, Lynn
Subject: RE: 3rd and Chambers

CITY OF MILWAUKEE
RECEIVED
2011 FEB -4 PM 3:26
OFFICE OF
CITY ATTORNEY

Thank you very much for the update. I will have City crews check it out.

The City inspector on the project is Mr. Dan Wimmer. He can be reached at 414-708-3822. He should be able to provide you with the contact information of the contractor responsible for the damage.

Karen Rogne
City of Milwaukee
Underground Conduit
841 N Broadway, Room 802
Milwaukee WI 53202

karen.rogne@milwaukee.gov
(414) 286-3243
(414) 286-0289 fax

From: Joel Bojarski [<mailto:jbojarski@midwestfibernetworks.com>]
Sent: Thu 11/11/2010 3:48 PM
To: Rogne, Karen
Cc: Henke, David; Richard Trgovac
Subject: RE: 3rd and Chambers

FYI

I have a crew out on S 2nd St by Pittsburgh because my fiber in the City Conduit was damaged by the contractor doing the street work. Whoever was working on these manhole rings threw bricks and chunks of concrete on top of the MWFN fiber and if you have any cables in there on yours as well. I'm being told a manhole they are at it was filed to the lid with debris. I have asked for pictures to share with you. If there are any good ones I will forward them on to you.

Joel

From: Joel Bojarski
Sent: Thursday, October 28, 2010 2:32 PM
To: 'Rogne, Karen'
Cc: 'David Henke (David.Henke@milwaukee.gov)'; Frank LaChance
Subject: 3rd and Chambers

Hi Karen:

Can you let me know the name of the contractor that replaced the City MH at N 3rd and Chambers recently. MWFN had an outage we responded to and found our fiber was severely damaged. The MH was replaced with a split cast MH and it looks like the top of the MH crushed the MWFN fiber when it was being placed. I've added a few of the pics as well.

Regards,

Joel Bojarski
Operations Manager
Midwest Fiber Networks
Office: (414) 459-3551
MWFN 24x7 NOC: (866) 831-1661

MIDWEST FIBER NETWORKS

The City of Milwaukee is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City email should presume that the email are subject to release upon request, and to state records retention requirements. See City of Milwaukee full email disclaimer at www.milwaukee.gov/email_disclaimer.



CABLE Com

3701 W Burnham Street
Suite C
Milwaukee, WI 53215
Phone: (414) 226-2205
Fax: (414) 226-2269

INVOICE

27968
1/10/2011
1012013

CUST **MIDWEST FIBER NETWORKS**
3701 W BURNHAM STREET
MILWAUKEE, WI 53215

PROJ **MWFN-3RD & CHAMBERS**

ACCOUNT NO	PO NUMBER	APPLICATION	INVOICE DATE DUE	TERMS	PAGE
MWFN1000		1	1/25/2011	Net 15	1

Work Performed:
PO 264
MWFN JOB # 10105081

3RD & CHAMBERS DAMAGE REPAIR
240 BURNS
OSP FIBER REPLACEMENT

COMPLETED WORK:	15,542.25
PREVIOUS BILLINGS:	0.00
TOTAL RETENTION:	0.00
SALES TAX:	0.00
TOTAL DUE:	15,542.25



CABLE Com

3701 W Burnham Street
Suite C
Milwaukee, WI 53215
Phone: (414) 226-2205
Fax: (414) 226-2269

INVOICE

27856
12/6/2010
1011020

CUST **MIDWEST FIBER NETWORKS**
3701 W BURNHAM STREET
MILWAUKEE, WI 53215

PROJ **MWFN - MPTV FIBER EMERGENCY**
3RD & CHAMBERS
MILWAUKEE, WI 53212

ACCOUNT NO	PO NUMBER	APPLICATION	INVOICE DATE DUE	TERMS	PAGE
MWFN1000	244	2	12/21/2010	Net 15	1

Project Notes:

PO 244 DAMAGE 3RD AND CHAMBERS MPTV SPLICE TROUBLESHOOT
1ST AND FINAL INVOICE

COMPLETED WORK:	458.50
PREVIOUS BILLINGS:	0.00
TOTAL RETENTION:	0.00
SALES TAX:	0.00
TOTAL DUE:	458.50













NOTICES SENT TO FOR FILE 101359:

[illegible]



Legislation Details (With Text)

File #: 101356 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/1/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Danny Miller for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101356
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relating to an appeal from Danny Miller for property damage. (4th Aldermanic District)
Drafter
CC-CC
dkf
2/24/11

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
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MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

January 25, 2011

Danny Miller
2925 West Kilbourn Avenue, Apt. 105
Milwaukee, WI 53208

RE: Danny Miller
C.I. File No.: 10-S-386

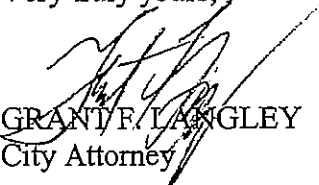
Dear Mr. Miller:


We have received your claim in the amount of \$992.22, relating to damage sustained to your vehicle on September 6, 2010 when the Milwaukee Police Department (MPD) was attempting to take a person into custody at 2925 West Kilbourn Avenue.

Our investigation reveals that the MPD responded to a neighbor trouble situation at this location. One of the individuals involved in this matter was uncooperative while the officers were placing her into custody. The police action taken in this matter was necessary and appropriate for the circumstances and the person being arrested was the basis for your loss. Since the MPD was acting within its sphere of responsibility and following proper procedures, the City cannot accept liability, as such, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT OVERHOLT
Investigator Adjuster

RMO:ms
1032-2010-3034:165705

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

THE DENIAL
WAS MAILED
TO CLMT. ON
01-27-11

This letter is to Appeal
the decision made by
the City of Milwaukee
to not accept the liability
of a claim, caused by
the Milwaukee Police
Dept. on September 16,
2010. I am appealing
this decision.

CLERK
LEONHARDT
FEB 18 PM 3:08
CITY OF MILWAUKEE

THANK YOU

Danny Miller
2925 W Kilboorn #105
Milwaukee Wis 53208
414-335-9870

CI File No 10-S-386

OFFICE OF
CITY ATTORNEY

2011 FEB 22 PM 3:03

CITY OF MILWAUKEE
RECEIVED

On 09-06-2010 At About 11:50AM
MY 2000 CHEVY IMPALA WAS
PARKED AT 2925 W. KILBOURN AVE.
AN Apt. building. MILWAUKEE POLICE
RESPONDED TO A CALL, TRIED TO
ARREST AN SUSPECT, OFFICER AND
THE SUSPECT FELL ON TOP AND SIDE
OF MY VEHICLE CAUSING THE
DAMAGE.

MILWAUKEE POLICE SERGEANT
SAID IF YOU HAVE ANY OTHER
QUESTION CALL HIM AT 414-935-7237

Danny T Miller
2925 W Kilbourn Apt 105
Milw WI 53208

414-335-9870

9/22/2010

CITY OF MILWAUKEE

10 OCT 28 PM 2:57

RONALD D. LEONHARDT
CITY CLERK

OFFICE OF
CITY ATTORNEY

10 OCT 29 PM 2:40

CITY OF MILWAUKEE
RECEIVED

PD-43 05/07

**MILWAUKEE POLICE DEPARTMENT
DAMAGE NOTICE**

(SUPERVISOR TO LEAVE IN PROMINENT PLACE AT SCENE)

The Milwaukee Police Department received a call for

service on: 19-04 20 00 at: 1:10 a.m./(p.m.)
(DATE) (TIME)

at: 2925 W Kilbourn
(ADDRESS)

to: ☐ confirm welfare of occupant(s)

☒ make an arrest

☐ execute a search warrant

☐ recover evidence of crime

☐ other (describe) _____

The following damage to premises or vehicle occurred:

Officer & suspect fell on
vehicle during arrest

Supervisor's Name: Sgt. Anthony Young
(PRINT)

31 DAYS 005338
(DIST. / WORK LOC.) (SHIFT) (EMPLOYEE I.D. #)

SEE NOTICE ON REVERSE SIDE

EAST SIDE AUTO BODY

Alex and Sam
EAST SIDE AUTO BODY
3888 N. Fratney St.
Milwaukee, WI 53212
Work Phone: 4149638989
Fax Number: 4149638852

Estimate
ID #1068437
FederalTaxID: 26-3569760

Vehicle Info	VIN	Color Ext. / Int.	License (St.)	Miles In / Out
2000 Chevrolet Impala LS	2G1WF55K8Y9309693	/		0 / 0

Owner

Danny Miller
2925 W Kilbourn ave
milwaukee, WI 53208
Cell Phone: 414-335-9870

Estimator

Alex and Sam

Description	Part #	Price	Qty	Labor	Paint	Other
HOOD						
Repair Hood Panel (Impala)	19120224			2.0 Body hrs.	2.9 hrs.	
1.2hrs. Clearcoat					1.2 hrs.	
FRONT FENDER \ SHEET METAL/EXTERIOR TRIM						
Repair Fender Assy (Impala) (Left)	89025179			2.0 Body hrs.	2.5 hrs.	
1.0hrs. Clearcoat					1.0 hrs.	

Totals

Type	Hours	Rate (\$/hr)	Total	Taxable
Body Labor	4.0	\$51.00	\$204.00	✓
Paint Labor	7.6	\$51.00	\$387.60	✓
Body Supplies	4.0	\$30.00	\$120.00	✓
Paint Supplies	7.6	\$30.00	\$228.00	✓
Taxable Amount			\$939.60	
Tax	5.600%		\$52.62	
Net Total			\$992.22	

MAACO COLLISION REPAIR & AUTO PAINTING
4128 SOUTH 13TH STREET
MILWAUKEE, WI 53221
PHONE: 414-282-4567 FAX: 414-282-7177

*** PRELIMINARY ESTIMATE ***

09/07/2010 04:40 PM

Owner

Owner: Danny Miller
Address: 2925 W. Kilbom Avenue
City State Zip: Milwaukee, WI 53208

Work/Day: (414)335-9870
FAX:

Inspection

Inspection Date: 09/07/2010 04:41 PM
Primary Impact: Left Front Side

Inspection Type:
Secondary Impact: Hood

Appraiser Name: BUDDY

Appraiser License # :

Repairer

Repairer: Maaco Collision Repair
Address: 4128 s 13th street
City State Zip: milwaukee, WI 53221
Email: djw7210@aol.com

Contact:
Work/Day: (414)282-4567
FAX: (414)282-7177

Vehicle

2000 Chevrolet Impala STD 4 DR Sedan
6cyl Gasoline 3.8
4 Speed Automatic

Lic.Plate: 26677G
Lic Expire:
Veh Insp# :
Condition:
Ext. Refinish: Two-Stage
Ext. Paint Code: SILVER

Lic State: WI
VIN: 2G1WF55K8Y9309693
Mileage Type: Actual
Code: U4163A
Int. Refinish: Two-Stage
Int. Trim Code:

Options

AM/FM Stereo
Intermittent Wipers
Power Door Locks
Power Windows
Split Front Bench Seat
Tinted Glass

Air Conditioning
Overhead Console
Power Mirrors
Rear Window Defroster
Tachometer
Velour/Cloth Seats

Dual Airbags
Power Brakes
Power Steering
Rem Trunk-L/Gate Release
Tilt Steering Wheel

Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ%	B%	Hours	R
1	RI	41		Headlamp Assy,Halogen LT	R & I Assembly				0.5	SM
2	I	83		Panel,Hood	Repair				2.5*	SM
3	L	83	13	Panel,Hood	Refinish				4.2	RF
4	EP	104		Fender,Front RT	Replace PXN	\$169.00			3.1	SM
5	L	104		Fender,Front RT	Refinish				2.8	RF
6	RI	239		Mldg,Fender Side LT	R & I Assembly				0.1	SM
7	BR	207		Door Shell,Front LT	Blend Refinish				1.2	RF
7	Items									

MC Message

13

INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

Other Parts					
Paint Materials					\$169.00
Parts & Material Total					\$213.20
Tax on Parts & Material					\$382.20
		@ 5.600%			\$21.40
Labor	Rate	Replace Hrs	Repair Hrs	Total Hrs	
Sheet Metal (SM)	\$52.00	3.7	2.5	6.2	\$322.40
Mech/Elec (ME)	\$96.00				
Frame (FR)	\$65.00				
Refinish (RF)	\$52.00	8.2		8.2	\$426.40
Paint Materials	\$26.00				
Labor Total				14.4 Hours	\$748.80
Tax on Labor			@ 5.600%		\$41.93
Gross Total					\$1,194.33
Net Total					\$1,194.33


Alternate Parts Y/01/01/00/00/00 CUM 01/01/00/00/00 Zip Code: 53221 Audatex Host
SPPL Yes Zip Code: 00000 Default

Audatex Estimating 6.0.353 ES 09/07/2010 04:44 PM REL 6.0.353 DT 08/01/2010
Copyright (C) 2009 Audatex North America, Inc.

2.1 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.

Op Codes

* = User-Entered Value	E = Replace OEM	NG = Replace NAGS
EC = Replace Economy	OE = Replace PXN OE Srpls	UE = Replace OE Surplus
ET = Partial Replace Labor	EP = Replace PXN	EU = Replace Recycled
TE = Partial Replace Price	PM = Replace PXN Reman/Reblt	UM = Replace Reman/Rebuilt
L = Refinish	PC = Replace PXN Reconditioned	UC = Replace Reconditioned
TT = Two-Tone	SB = Sublet Repair	N = Additional Labor
BR = Blend Refinish	I = Repair	IT = Partial Repair
CG = Chipguard	RI = R & I Assembly	P = Check
AA = Appearance Allowance	RP = Related Prior Damage	



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Audatex Estimating is a trademark of Audatex North America, Inc.

09/10/2010 at 03:58 PM
34435

Job Number:

MIDTOWNE AUTO BODY
MEMBER BETTER BUSINESS BUREAU OF WISCONSIN
3901 N. MARTIN LUTHER KING DR.
WWW.MIDTOWNEAUTOBODY.COM
MILWAUKEE, WI 53206
(414)562-8411 Fax: (414)562-8414

PRELIMINARY ESTIMATE

Written By: DARRELL HILLMAN
Adjuster:

Insured: DANNY MILLER
Owner: DANNY MILLER
Address: 2925 W. KILBOURN
MILWAUKEE, WI 53208
Day: (414)335-9870

Claim #
Policy #
Deductible:
Date of Loss:
Type of Loss:
Point of Impact:

Inspect
Location:

Insurance
Company:

Days to Repair

2000 CHEV IMPALA 6-3.8L-FI 4D SED Int:

VIN: UNK

Lic:

Prod Date:

Odometer:

Air Conditioning
Intermittent Wipers
Overhead Console
Power Steering
Power Locks
FM Radio
Driver Air Bag
Cloth Seats
Aluminum/Alloy Wheels

Rear Defogger
Body Side Moldings
Traction Control
Power Brakes
Power Mirrors
Stereo
Passenger Air Bag
Automatic Transmission

Tilt Wheel
Dual Mirrors
Clear Coat Paint
Power Windows
AM Radio
Anti-Lock Brakes (4)
4 Wheel Disc Brakes
Overdrive

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
1		HOOD				
2*	Rpr	Hood			4.0	3.0
3		Add for Clear Coat				1.2
4		FENDER				
5**	Repl	A/M CAPA LT Fender	1	169.00	2.5	2.0
6		Overlap Major Adj. Panel				-0.4
7		Add for Clear Coat				0.3
8		Add for Edging				0.5
9		Add for Clear Coat				0.1
10		FRONT DOOR				
11	Blnd	LT Door shell				1.1
Subtotals ==>				169.00	6.5	7.8

09/10/2010 at 03:58 PM
34435

Job Number:

PRELIMINARY ESTIMATE

2000 CHEV IMPALA 6-3.8L-FI 4D SED Int:

Parts		169.00
Body Labor	6.5 hrs @ \$ 52.00/hr	338.00
Paint Labor	7.8 hrs @ \$ 52.00/hr	405.60
Paint Supplies	7.8 hrs @ \$ 32.00/hr	249.60

SUBTOTAL		\$ 1162.20
Sales Tax	\$ 1162.20 @ 5.6000%	65.08

GRAND TOTAL		\$ 1227.28

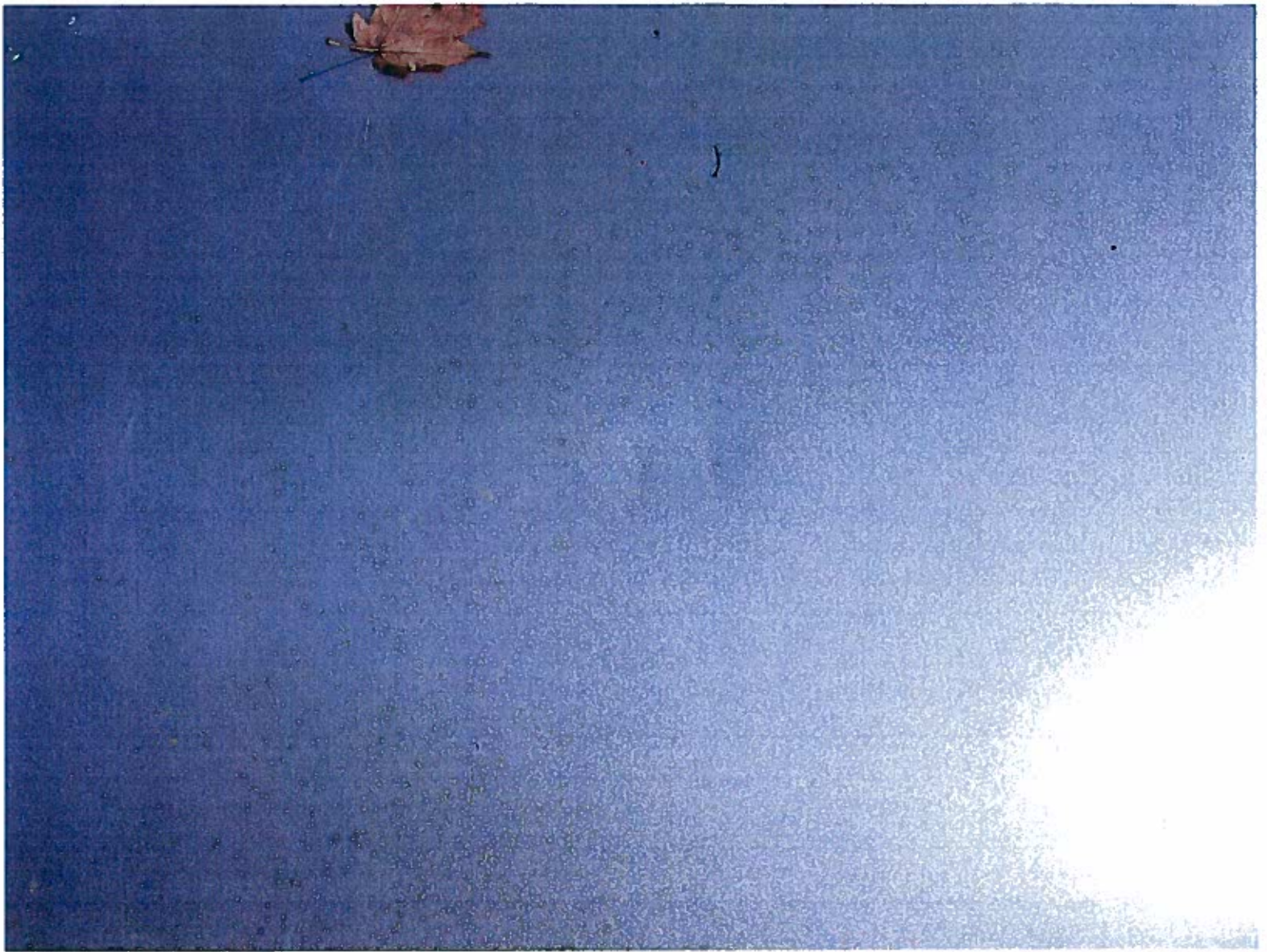
ALL WORK GURANTEED

MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132, WIS. ADM. CODE, ADMINISTERED BY THE BUREAU OF CONSUMER PROTECTION, WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, P.O. BOX 8911, MADISON, WISCONSIN 53708-8911.

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide DR1CB00, CCC Data Date 07/09/2010, and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships. OPT OEM or ALT OEM parts may reflect some specific, special, or unique pricing or discount. OPT OEM or ALT OEM parts may include "Blemished" parts provided by OEM's through OEM vehicle dealerships. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. Non-Original Equipment Manufacturer aftermarket parts are described as AM, Qual Repl Parts or Comp Repl Parts which stands for Competitive Replacement Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries. Some 2010 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The Pathways estimator has a complete list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

CCC Pathways - A product of CCC Information Services Inc.

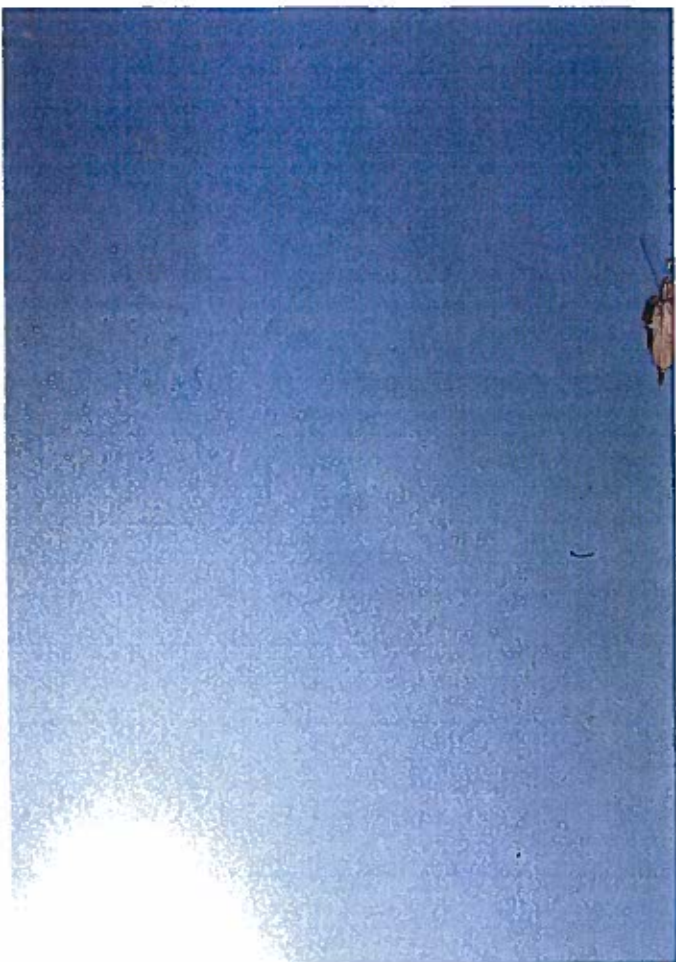


Hood

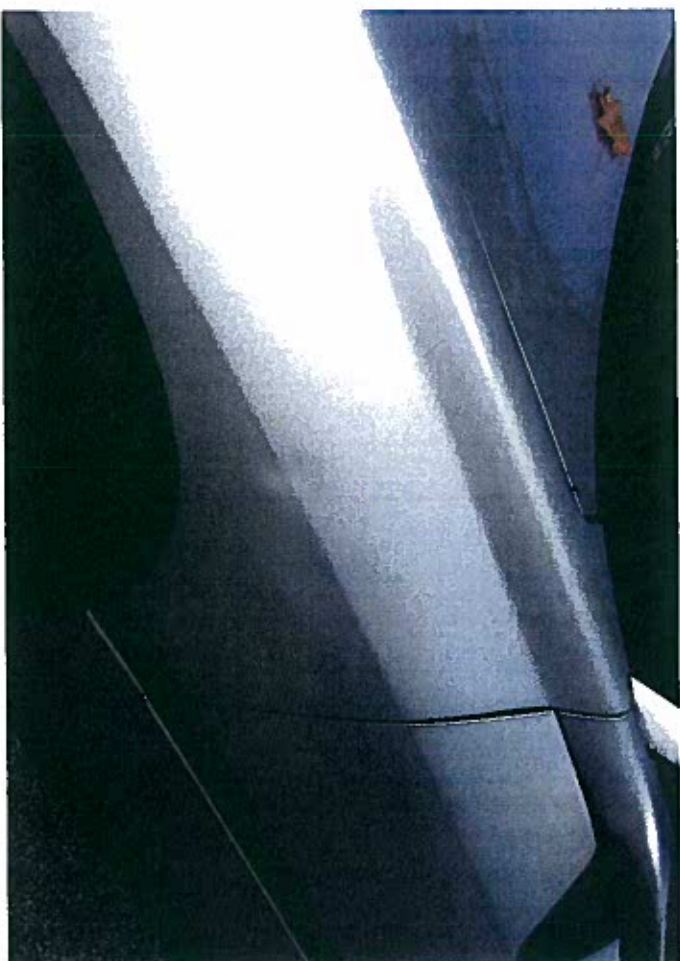
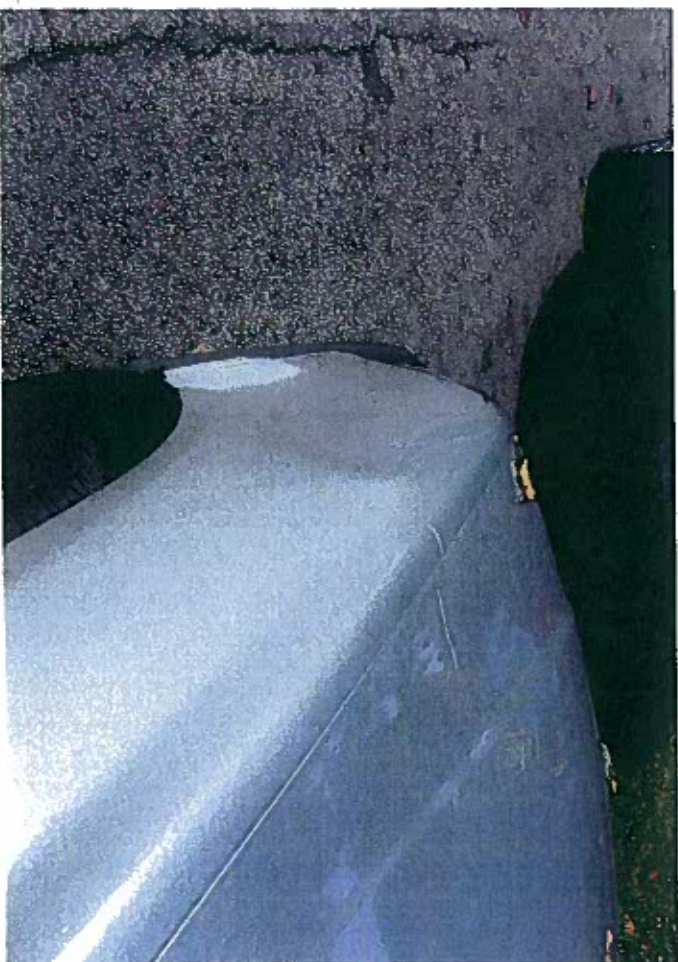


DRIVER FENDER AND HOOD

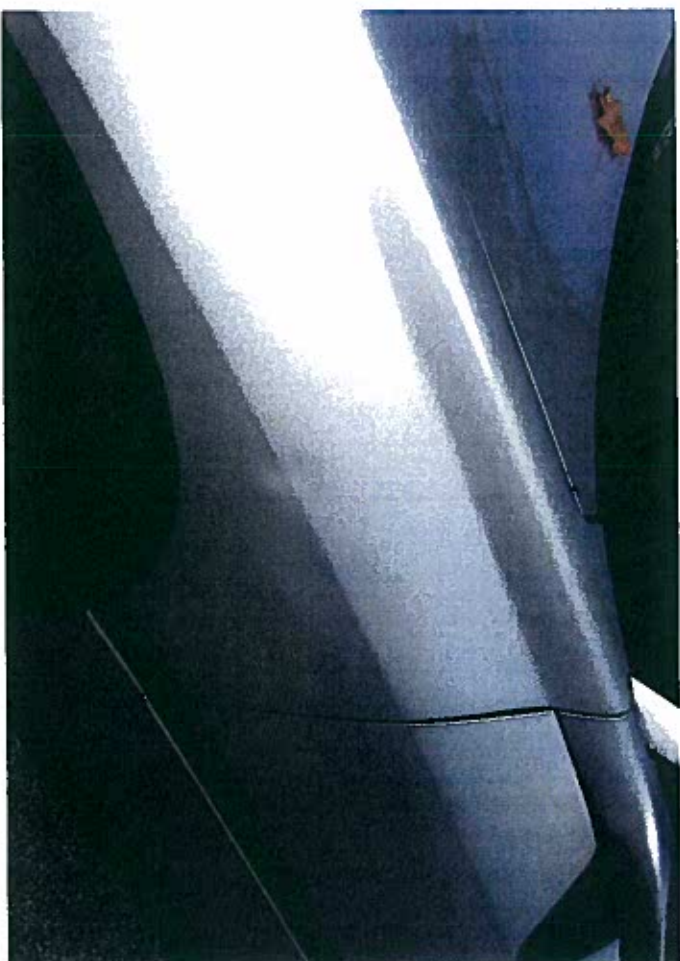
Hood



Trunk Fender and Hood



Driver Fender/Driver Door



NOTICES SENT TO FOR FILE 101356:

[illegible]



Legislation Details (With Text)

File #: 101329 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 3/1/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Resolution relating to the claim of the Cruz Maria Martinez for personal injuries. (12th Aldermanic District)
Sponsors: THE CHAIR
Indexes: CLAIMS
Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101329
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution relating to the claim of the Cruz Maria Martinez for personal injuries. (12th Aldermanic District)

Requestor
City Attorney
Drafter

JAS:ms
February 17, 2011
1125-2011-99:166410

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
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JAY A. UNORA
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LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
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KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

February 17, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of Cruz Maria Martinez
C.I. File No. 11-S-5

Dear Council Members:

We return the enclosed documents which, has been filed with the City Clerk, and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Cruz Maria Martinez, 2016 South 8th Street, Milwaukee, WI 53207, alleges that on December 13, 2010 she sustained injuries when she tripped and fell on an uneven sidewalk at the Zablocki Library located at 3501 West Oklahoma Avenue. She seeks damages in the amount of \$75,000.00.

Our investigation reveals that the Milwaukee Public Library records indicate that prior to December 13, 2010 they had no notice of this hazard in the sidewalk and because of this lack of notice the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1125-2011-99:166408

My Address

Cruz maria martinez
2016 S. 8th STREET
MILWAUKEE WI 53207
Tele. 414-212-8195

1/11/2011

To City of Milwaukee

On Dec. 13th At the OKLAHOMA Library

Coming out walking I fell.

I knew it had to be a Bad Side walk
due that the Fall was Bad and my

Toe nail Bent Forward my left knee

Pop so so Bad I thought I broke it I'm

Waiting for my result MRI was put half

Cast till I see an Orthopedic Surgeon for

my right hand which this is what I right

do everything I have 2 children and it

has taken a toll the Pain in and out of

Hospital Pain is Very Bad in my leg + knee

I'm really Surprise that no one from

the library nor the city have contact me

nor I feel they are concern of my Serious

Injuries. Feeling unuse have to

Bed 2-3 weeks Can't sleep due to hand

knee + shoulder Pain.

All I was thinking was if that elderly

Person that was 1 step from me would of

Been in front of me? God it hurts to be

home not able to be out long be taking

out Anger on my heels due to pain its not fair

RONALD D. LEE
CITY CLERK

2011 JAN 11 PM 8:47

RONALD D. LEE
CITY CLERK

2011 JAN 12 PM 8:49

RONALD D. LEE
CITY CLERK

2011 JAN 12 PM 3:03

CITY OF MILWAUKEE
RECEIVED

(2)

I ASK your office to Communicate
with me to see what is going to
be Compensated of my Pain +
Suffering.

This was not my Fault As I has
to remove my toe nail due to Injury
Here is my Information

Went to St Lukes

Was Put on half CAST

Xrays saw fracture

Concussion Knee But my

Dr Order MRI due to Big

Bump on Knee with so much

Pressure my Shoulder hurts

So I ask Please can anyone

Tell me why no one has call

to see how I'm I did go next

day to Library spoke to manager she

did go with us Saw the Side walk

did Saw where it was And stated that

they have been trying to fix all Sidewalks

and she knew my Condition and deal with

Sorry my Home phone is (414) 212-3125

I do need Information where can I

file Cause i have been waiting and

Don't seem to know its going to be 1 month

(3)

And no One has called nor Send me
no Paperwork Trust me the Pair is
Really Really Bad.

Thank you
Cory M. Matting

Here is the Libery Branch Manager
Rachel Collins
Zablocki Library
3501 W. Oklahoma Ave
Milwaukee W 53215

Phone # 414-286-3000

FAX 414-286 3430

E-mail rcoll@milwaukee.gov

Web: www.mpl.org

NEXT DAY We went to see her she
Took a look at the Side walk
And saw where it happen

I'm Sending you this letter today 1/11/2011
was waiting for someone to Contact me and
I had no clue where to start and my hand was

Here is the name of
manager Oklahoma Library

Rachel Collins

Zablocki Library

3501 W. Oklahoma Ave

Milwaukee 53215

1/18/2011

Home - 414-286-3000

FAX 414-286-8430

E-mail - rcoll@milwaukee.gov

Web - www.mpl.org

To City of Milwaukee

My Name is Cruz Maria Martinez

I Resided at 2016 S. 8th Street Milwaukee WI 53204. On Dec 13th At Around 4:30-4:45pm me spouse child and his Court officer were coming out of Library walking I suddenly felt a bump hard my sneakers fell so hard forward my impact was so bad on my left knee I didn't want no one to touch me. my son dial 911 but my spouse said Van is close to her St Lukes is here near by the time someone comes she will freeze I WAS TAKEN TO ST Lukes. given Pain medication X-Rays CT Scan.

The Knee show Bad Contusion until I see my doctor to get to An Ortho Surgery I had an MRI done which something show The Pain is so Bad Can't sleep even my hips shoulders everything, Took X-Rays Right hand show a fracture was put half cast until I saw An Orthopedic my Regular DR. Got me all Information and this week Ortho Surgery will see me to see what can be done to the knee

II

1/18/2011

On Dec 13th my life change
had Plans to Visit my grand MAM
on Dec 15th had to Cancel.

my children X-mas were SAD their new year
were upset all i had to do is lay in
Bed. the Pain has been getting bad that
my children are SAD upset Seeing me
getting depress each day that Pass by.
the Knee is in so much Pain no sleep
at all no Matter the medication I'm
depress Angry At things i can't do
With my children. We don't have no Family
here only my Spouse 80 year old man
She lives 15 min from us.

my daughter graduated which i told
her please I ignored my Pain keep on with
your work to become someone in life
my son has a ADHD And Since my
accident has gotten worst.

they hate Seeing me in Pain.

the Side WALK WAS not level one
Side WAS higher then the other.
the Limbairian manager was Very nice
took Report gave us her Card But
Never Called to See How i was.

III

1/13/2011

But MR Spencer which he is a Probation officer was behind us And saw what happen.

We went the next Day spoke to Manager She saw my Arm which was half band cast my face was swollen due to when I fell my face hit to

she walked outside with me + Spouse did show us on how they have been trying to get to fix all Side walks

But many still have not gotten to it

She was honest And gave us her card

she wrote a report this was Dec 13th 2010 - Till this date no one has called me nor ask how I'm

This Pain has been so bad it took a great toll on everyone especially my kids

all i ask to someone to help me with my case my knee will never be the same trying to find a lawyer her has Prove difficult to do to the city.

If these Side walk were fix library are use

By many 1 elderly gentelman was in back of me I went in front I thought if this was him he would not made it

IV

My Pain And Suffering has been a challenge
in this House Kids no longer want to go to
my Room to see me Suffer.

It hurts so much out of 24 Hours

I'm like 21 in Bed.

But try more i need to care for their
Food needs

Please i ASK Someone to Contact
me about what is going to happen

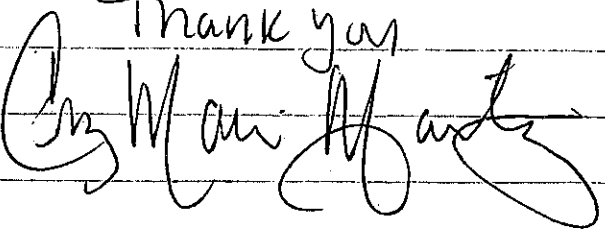
Here is my Address

Cruz Maria Martinez

2016 S 8th Street

Milwaukee WI 53207

Phone # (414) 212-8195

Thank you


11-5-5

Aurora Health Care©

St. Luke's Medical Center Emergency Department
2900 W. Oklahoma Ave.
Milwaukee, WI 53215
Phone: (414) 649-6333

CITY OF MILWAUKEE
RECEIVED
2011 FEB -4 AM 8:05

OFFICE OF
CITY ATTORNEY

Name: MARTINEZ, CRUZ M
DOB: 12/04/1961 12:00 AM
SLMC: 22441407

Current Date: 12/13/2010 21:02:25
MRN: SLMC-01117394

FIN:

Visit Date: 12/13/2010 4:46 PM
Address:
Phone: (414) 763-0744

Primary Care Provider

Name: Rudic MD, Goran T
Phone: (414) 389-3146

RONALD D. LI
CITY CLERK
2011 FEB -1 PM 1:05
CITY OF MILWAUKEE

The staff of Aurora Health Care would like to thank you for allowing us to assist you with your healthcare needs. The following includes patient education materials and information on how best to care for your illness/injury at home and when to see a physician. If you need to locate a Doctor or clinic close to you, please call the Doctor Referral Service at 1-888-863-5502. The Service is available Monday through Thursday from 8 AM to 8 PM and Fridays from 8 AM to 4 PM.

Your Opinion Counts

We hope that you leave our Emergency Department believing that we provided you with very good care. You may receive a survey in the mail asking for feedback on the care you experienced today. We value your opinion and will use it as a tool to help us find better ways to care for our patients. We are rated on a scale from very poor to very good. We strive to provide you with very good care in all categories. The Team that took care of you today is listed below.

Emergency Department Care Providers

Physician: Foutz, Renee A

RN _____ ED Tech _____ Clerical _____

BLANK DIAGNOSIS FORM

Diagnosis: Left knee contusion, left great toe nail injury, possible fracture of right distal radius

Home care explained: Ice and elevate knee and wrist. Take Ibuprofen every 6 hours. Trim toe nail. Bear weight as tolerated on left leg.

Follow up: See your doctor in the next week to recheck wrist and knee. If knee is not improving and not able to bear weight see your doctor or orthopedics sooner.

Return for: severe swelling, worsening pain, or any other concerns or worse in any way.

© 2000-2009 The StayWell Company, 780 Township Line Road, Yardley, PA 19067. All rights reserved. This information is not intended as a substitute for professional medical care. Always follow your healthcare professional's instructions.

11-5-5

CITY OF MILWAUKEE

2/7/2011

2011 FEB 15 PM 3:2

RONALD D. LEONARD

TO City of Milwaukee.

My name is Cruz maria martinez
On Dec. 13th 2010. Coming out of the
Library i fell And Fracture my Arm +
Injured Bad my left knee Also my toe nail
had A Very Bad Injury in which it was pulled out
I have been in Very Very Bad pain since the
Accident happen.

CITY OF MILWAUKEE
RECEIVED
2011 FEB 16 PM 3:06
OFFICE OF THE
CITY ATTORNEY

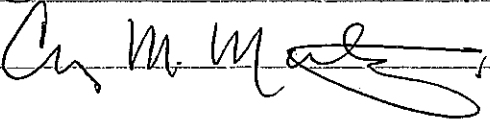
it has been many sleepless night
Knee + Arm.
MR. Spencer was my son Probation officer
he was there when my Accident happen.
he was so worry he called my house
he saw how much Pain i was i couldn't
get up. my 17 year old called 911 But
it was so called i was taken By car to
St. Lukes. Hospital.

I recieved called Tuesday from the city
Asking me to write A Dollar Amt I'm
Asking for.

To be Honest no Amount of money is
going to help me with my Pain I'm miserable
x-mas - new years in bed 75% of my day
maybe more is in bed resting my knee.

my 2 children suffer what i suffer and
still are. so I ask for Pain And Suffering
\$ 75,000 for me and my children
for many sleepless night Pain and Suffering
I'm tired go out to food shop and have
to come back home due to Pain leg and
hand. It's difficult as i have no one
mom sister live in new york.
It's hard this injury has been very
difficult for us

Thank you for allowing me to
write about my Accident.

Cruzmana Martinez
C. M. M. 

NOTICES SENT TO FOR FILE 101329:

[illegible]



Legislation Details (With Text)

File #: 101325 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/1/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of the Nastassia Putz for personal injuries.

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101325
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relating to the claim of the Nastassia Putz for personal injuries.
Requestor
City Attorney
Drafter
JAS:ms
February 16, 2011
1048-2010-743:166331

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
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ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

February 16, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of Nastassia Putz
C.I. File No. 10-L-20

Dear Council Members:

We return the enclosed documents which, has been filed with the City Clerk, and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Nastassia Putz, by her attorney, Paul Scoptur, 2600 North Mayfair Road, Suite 1030, Milwaukee, WI 53226-1308, allege that on December 12, 2009 Ms. Putz slipped and fell on ice that had accumulated on a Milwaukee Water Works (MWW) water pipe cap in front of Flannery's Bar in the 400 block of East Wisconsin Avenue. They claim damages in the amount of \$239,633.19.

Our investigation reveals that the actual loss site is in the 400 block of East Wells Street. The Department of Public Works and the MWW reviewed their records relative to this alleged incident.

The Sanitation Department had no record of this alleged condition. The MWW records reflect that it did not perform any repair activity at this location and they did not receive any calls or complaints regarding a leaking water service cover. The Infrastructure Services Division's (ISD) review found that they had not conducted any activity in this area.

To the Honorable Common Council
Of the City of Milwaukee
February 16, 2011
Page 2

The ISD investigation did note that three right-of-way permits were issued to Wisconsin Gas Company and Rawson Contractors, Inc. Since it appears the City was not negligent and it had no notice in this matter, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1048-2010-743:166330

NOTICE OF INJURY
(NOT A NOTICE OF CLAIM)

To: City of Milwaukee
City Clerk
City Hall
200 East Wells Street, Suite 205
Milwaukee, Wisconsin 53202

Re: Nastassia Putz
9407 North 49th Street
Apartment 106
Brown Deer, Wisconsin 53223

CITY OF MILWAUKEE
2010 MAR -9 AM 9:32
RONALD D. LEONHARD
CITY CLERK

PLEASE TAKE NOTICE, pursuant to Wisconsin Statutes Section 893.80(1)(a), that on December 12, 2009, Nastassia Putz, residing at the above address, slipped and fell on ice accumulated in the 400 block of East Wisconsin Avenue, in front of Flannery's Bar and Restaurant, in the City of Milwaukee. Ms. Putz exited Flannery's and turned to walk in a westerly direction, when she slipped on black ice that formed as a result of a Milwaukee Water Works leaking water pipe cap.

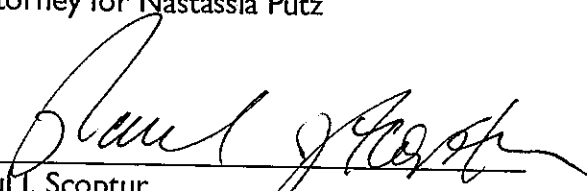
As a result of this accident, Nastassia Putz broke her tibia and dislocated her left ankle and sustained permanent injuries, pain, suffering, disability, limitations, inconvenience, medical treatment and the accompanying bills, and lost wages.

Liability for Ms. Putz's injuries and damages is attributed to the City of Milwaukee.

AIKEN & SCOPTUR, S.C.
Attorney for Nastassia Putz

Dated: March 5, 2010.

By:


Paul J. Scoptur
State Bar Number 1018326

NOTICES SENT TO FOR FILE 101325:

[illegible]



Legislation Details (With Text)

File #: 101324 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/1/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of the Tyrone Diggs for property damage. (6th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101324
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relating to the claim of the Tyrone Diggs for property damage. (6th Aldermanic District)
Requestor
City Attorney
Drafter
JAS:ms
February 16, 2011
1029-2010-3165:166329

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
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GREGG C. HAGOPIAN
ELLEN H. TANGEN
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JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

February 16, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of Tyrone Diggs
C.I. File No. 10-L-156

Dear Council Members:

We return the enclosed documents which, has been filed with the City Clerk, and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Tyrone Diggs, 3935 North 19th Street, Milwaukee, WI 53206, alleges that his vehicle was allegedly damaged when it struck potholes in the roadway along the alley behind 3935 North 10th Street, along West Elm Street, between North Teutonia Avenue and West Mill Road and North Green Bay Avenue and Cornell Street around the end of 2009. He seeks damages in the amount of \$7,373.73.

Our investigation reveals that Mr. Diggs filed his claim on November 15, 2010. Wisconsin Statute § 893.80 (1)(a) requires that a claim must be filed within 120 days of the happening of the event giving rise to the claim. This claim was not timely filed.

Our investigation further revealed the Infrastructure Services Division (ISD) reviewed their records relative to these alleged loss locations. The ISD had no complaints for the alley behind 3935 North 10th Street and it responded to any known hazard at the other loss locations. Since this claim was not timely filed and ISD followed its standard procedures in this matter, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2010-3165:166328

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

CITY OF MILWAUKEE
RECEIVED

2010 NOV 16 PM 12:30

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2010 NOV 15 PM 3:28
RONALD D. LEUBMAN
CITY CLERK

November 10, 2010

Tyrone D Diggs
3935 N. 10th Street
Milwaukee, WI 53206
(414)736-0962

Office of the City Clerk
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567
Attn: Claims

To Whom It May Concern:

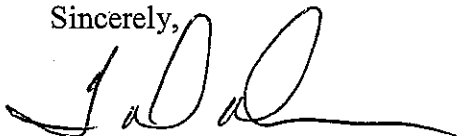
As you are aware, the city of Milwaukee experienced harsh weather during the winter seasons for 2008 and 2009. As a result, major streets throughout the city were in poor, unsafe condition. The poor, unsafe street condition caused major damage to the suspension and transmission systems of my vehicle.

I hereby request reimbursement totaling \$7,373.73 for personal funds and/or credit card charges spent on major vehicle repairs. I have enclosed repair receipts and estimates for your review. A complete breakdown of the above of the above request is as follows:

Amount paid for suspension conversion kit	\$1,544.67
Amount paid for power steering pump	\$186.23
Estimated amount for transmission/transaxle	\$5,645.83

Your prompt attention to this matter is greatly appreciated. Should you have any further questions, please contact me at the telephone number listed above.

Sincerely,



Tyrone D. Diggs

Enclosure

WORK ORDER

086267

11/03/10 01:23PM

DIGGS, TYRONE

3935 N 10TH ST

MILWAUKEE, WI 53206-3320

414.736.0962

Store # 244251

TIRES PLUS

9101 N DEERBROOK TRL
BROWN DEER, WI. 53223-2476

SERVICE ADVISOR

19 WESTLEY

414.355.0500

2002 CADILLAC DEVILLE DTS [WHITE]

V8-279 4.6L DOHC

LIC # 324-HFU WI

VIN # 1G6KF57942U295594

IN 11/03/10 12:17PM

EST. MILEAGE 81,000

Recommended Services not Authorized by Customer

Status	Description	Qty	Parts	Unit Price Labor	Extended Price Job Total Cat. Total	Total
Recmd	BEARING & SEALS (Front-Right)				328.46	
	513179 FRONT HUB ASSEMBLY	1	229.46	0.00		
	REMOVE & REPLACE WHEEL BEARING- FRONT, ONE SIDE	1	0.00	99.00		
Recmd	AUTO TRANSMISSION/TRANSAXLE				4,796.38	
	LEFT AXLE BEARING INSIDE TRANSMISSION IS VERY BAD. TRANS IS LEAKING FLUID ALL OVER UNDERSIDE OF VEHICLE. REPLACEMENT OF TRANS RECOMMENDED. CUSTOMER HAS BEEN SHOWN AND ADVISED. 3341352 USED WITH 81,000 MILES	0	0.00	0.00		
	REMOVE & INSPECT TRANSAXLE ASSEMBLY	1	1,089.19	0.00		
	* REMOVE & REPLACE TORQUE CONVERTER	1	0.00	810.00		
	* REPLACE TRANSAXLE ASSEMBLY	1	0.00	9.00		
	7030260 REMAN TRANS WITH 3 YEAR WARRANTY	1	2,798.19	0.00		
Recmd	AUTO TRANSMISSION/TRANSAXLE				196.58	
	66-1327 R NEW CV COMPL ASSY	1	144.58	0.00		
	REMOVE & INSPECT F AXLE SHAFT ASSEMBLY- ONE SIDE	1	0.00	117.00		
	LBR-DISC IF DONE WITH WHEEL BEARING System Failure - Required	-1	0.00	65.00		
					> 5,321.42	5,321.42

Recommended Parts: 4,261.42
 Labor: 1,060.00
 Subtotal: 5,321.42
 Shop Supplies: 25.00
 Tax (5.60%): 299.41
 Total: 5,645.83

THESE PRICES ARE VALID FOR 30 DAYS

labor charges are based on 'Menu Items' of a predetermined amount or the flat rate
 charged per the Mitchell Labor Manual @ \$90.00/hr.

ALL PARTS ARE NEW UNLESS NOTED OTHERWISE

"MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132, WIS. ADM. CODE, ADMINISTERED BY THE BUREAU OF CONSUMER
 PROTECTION, WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, P. O. BOX 8911, MADISON, WISCONSIN 53708-8911"

www.Pages104.com

See reverse side for Warranty information

Recommendations 090409

Brown Deer Sales Service Center
7440 W. Brown Deer Road
Milwaukee, WI 53223
phone: 414-357-6590 / fax: 414-357-6595

BROWN DEER SALE SERV
7440 WEST BROWN DEER
MILWAUKEE WI 53223

BATCH: 766
S-A-L-E-S D-R-A-F-T
72758357
295292408883

TYRONE DIGGS
3935 N 10TH STREET
Milwaukee, WI 53223

WORK ORDER # 6991 07/13/10
2002 eng: V8 4.6L 281ci G plate# DK
CADILLAC vin# 1G6KF57942U295594
DEVILLE DTS

REF: 0010
CD TYPE: VISA
TR TYPE: PURCHASE
DATE: JUL 16, 10 16:38:34

C# 414-736-0962

TOTAL \$1544.67

ACCT: 2537 EXP: 08/08
AF: 063634
NAME: MR DIGGS LLC
TAX \$13.00

CARDMEMBER ACKNOWLEDGES RECEIPT OF GOODS
AND/OR SERVICES IN THE AMOUNT OF THE
TOTAL SHOWN HEREON AND AGREES TO PERFORM
THE OBLIGATIONS SET FORTH BY THE
CARDMEMBER'S AGREEMENT WITH THE ISSUER

THANKS FOR USING VISA

CUSTOMER COPY

RUMBLING NOISE RI
CHECK AIR RIDE S
WANTING TO SWITCH
AIR RIDE SYSTEM

DIAGNOSTICS

SUSPENSION

1449.75 Group Total

1@ 1000.00 1000.00 FULL CONVERSION KIT 444 5.00hrs@ 89.95/hr 449.75
10YR WARRANTY

Parts Sub-Total 1000.00

SURCHARGES

13.00 Group Total

Hazard Waste 13.00

New

I, the Registered Owner, authorize you to perform the above repairs, furnish any necessary sublet work. Your employees may operate vehicle for inspection delivery at my risk. You will not be responsible for loss or damage to vehicle in it. I agree to pay reasonable storage on vehicle left more than 48 hrs. until that repairs are completed. An express mechanic's lien is acknowledged secure that amount of repairs thereto.

SIGNED: _____

PARTS 1000.00
LABOR 449.75
Surcharge(s) 13.00
TAX 81.92
TOTAL WORK ORDER 1544.67

Brown Deer Sales Service Center
7440 W. Brown Deer Road
Milwaukee, WI 53223
phone: 414-357-6590 / fax: 414-357-6595

BROWN DEER SALE SERV
7440 WEST BROWN DEER
MILWAUKEE WI 53223

BATCH: 767
S-A-L-E-S D-R-A-F-T
72758357
295292408883

TYRONE DIGGS
3935 N 10TH STREET
Milwaukee, WI 53223

WORK ORDER # 7048 07/17/10
2002 eng: V8 4.6L 281ci G plate# DIGG
CADILLAC vin# 1G6KF57942U295594
DEVILLE DTS

C# 414-736-0962

REF: 0003
CD TYPE: VISA
TR TYPE: PURCHASE
DATE: JUL 19, 10 16:37:43

TOTAL \$186.23
ACCT: 2537 EXP: **/**
AP: 063743
NAME: WE DIGGS LLC
TAX \$2.00

CARDMEMBER ACKNOWLEDGES RECEIPT OF GOODS
AND/OR SERVICES IN THE AMOUNT OF THE
TOTAL SHOWN HEREON AND AGREES TO PERFORM
THE OBLIGATIONS SET FORTH BY THE
CARDMEMBER'S AGREEMENT WITH THE ISSUER

THANKS FOR USING VISA

CUSTOMER COPY

CHASSIS & STEERING

SP164402	1@	89.74	89.74	POWER STEERING PUMP	111	1.20hrs@ 7
				LIFETIME WARRANTY		INSTALL POWER STEE
Parts Sub-Total			89.74			

SURCHARGES

Hazard Waste

2.61

New

I, the Registered Owner, authorize you to perform the above repairs, furnish any necessary sublet work. Your employees may operate vehicle for inspection delivery at my risk. You will not be responsible for loss or damage to vehicle in it. I agree to pay reasonable storage on vehicle left more than 48 hrs. after that repairs are completed. An express mechanic's lien is acknowledged secure that amount of repairs thereto.

SIGNED: _____

PARTS	89.74
LABOR	84.00
Surcharge(s)	2.61
TAX	9.88
TOTAL WORK ORDER	186.23

NOTICES SENT TO FOR FILE 101324:

[illegible]



Legislation Details (With Text)

File #: 101320 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/1/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of the Atty. James Gende on behalf of Nancy Markowski for personal injuries. (3rd Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101320
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title
Resolution relating to the claim of the Atty. James Gende on behalf of Nancy Markowski for personal injuries. (3rd Aldermanic District)

Requestor
City Attorney

Drafter

JAS:ms

February 11, 2011

1029-2010-3054:166228

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
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ADAM B. STEPHENS
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BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

February 11, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of Nan Markowski
C.I. File No. 10-L-143

Dear Council Members:

We return the enclosed documents which, has been filed with the City Clerk, and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Nan Markowski, 1617 North Prospect Avenue, Milwaukee, WI 53202, alleges through her attorney, Gende Law Offices, S.C., N28 W23000 Roundy Drive, Suite 200, Pewaukee, WI 53072, that on August 8, 2010 she sustained injuries when she fell on an uneven area of the sidewalk on Brady Street which is on the north side of 1640 North Farwell Avenue. They claim damages in the amount of \$15,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that prior to August 8, 2010, the City had no notice of this hazard in the sidewalk and because of this lack of notice the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2010-3054:166227

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

To: Clerk - City of Milwaukee
200 East Wells Street, Rm.205
Milwaukee, WI 53202

Dept. of Public Works – Infrastructure
Zeidler Municipal Building Room 701
841 N. Broadway
Milwaukee, WI 53202

CITY OF MILWAUKEE

2010 NOV -3 PM 12: 03

RONALD D. LEONHARDT
CITY CLERK

NOTICE OF CLAIM

This Notice of Claim is against, City of Milwaukee, and the Department of Public Works, as well as their agents and/or employees, as required by Wis. Stat., §893.80. Based on the information provided to date, the following individuals participated in, and were likely responsible in varying degrees, for Nan Markowski's fall on Farwell Ave in the city of Milwaukee:

The Department of Public Works – Infrastructure Division.

The Claimant, Nan Markowski, resides at 1617 North Prospect Ave, Milwaukee, WI 53202, seeks monetary relief against City of Milwaukee and the Department of Public Works for the sum of \$15,000 and specifically request the following amounts.

- A. \$5,000 for compensatory damages.
- B. \$10,000 for medical expenses.

This claim arose out of the following circumstances:

1. That on August 8, 2010, Nan Markowski was walking down Farwell Ave in the City of Milwaukee.
2. That on August 8, 2010, Nan Markowski fell on an area of sidewalk on Farwell Ave, Milwaukee, WI, that was not in a reasonably safe condition and had clearly degraded over a significant state of time to constitute a hazard. (See attached pictures)
3. That on August 8, 2010 Nan Markowski was seen at Columbia St. Mary's for injuries she sustained from the fall on Farwell Ave, Milwaukee, WI. (See attached explanation of benefits)

CITY OF MILWAUKEE
RECEIVED
2010 NOV -4 PM 2: 05
OFFICE OF
CITY ATTORNEY

4. That on August 8 2010 Nan Markowski was diagnosed with a Sprain/Fracture to her left hand and finger's. (See attached pictures)
5. That The City of Milwaukee failed to maintain the sidewalk on Farwell Ave, Milwaukee, WI causing the injuries to Nan Markowski's hand and fingers.

Dated at Pewaukee, Wisconsin this 3rd day of November, 2010.

GENDE LAW OFFICE, S.C.
Attorneys for Claimant(s)

By: _____


James J. Gende II
State Bar No. 1030921

MAILING ADDRESS:

N28 W23000 Roundy Drive, Ste 200
Pewaukee, WI 53072
Telephone: (262) 970-8500
Facsimile: (262) 970-7100

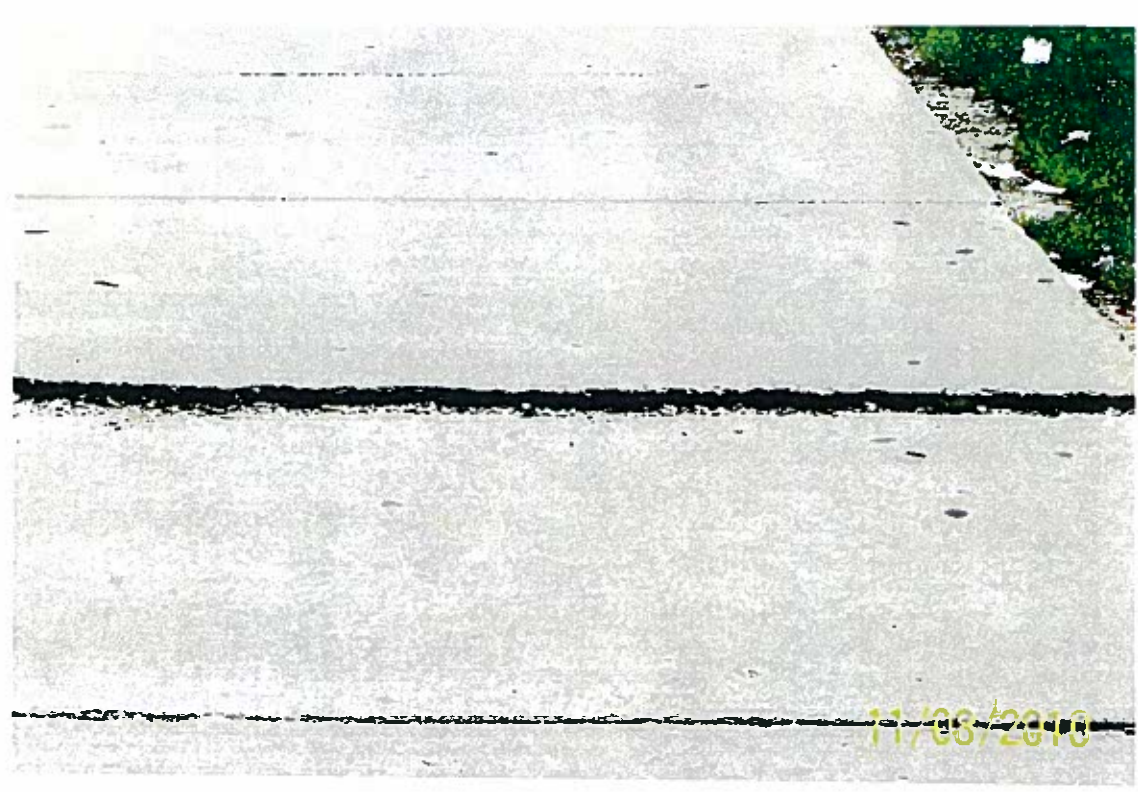






11/08/2010

11/08/2010







Columbia (CH) / Milwaukee (SMM) / Ozaukee (SMO)

EMERGENCY SERVICES

HOME MEDICATION LIST AND DISCHARGE INSTRUCTIONS

Prescription, over-the-counter, and herbal/natural medications taken routinely prior to admission.

Pt# 870501-0100 Date 08/08/10

MARKOWSKI, NANCY A

Birthdate: 12/28/1941 Sex F Age 68

Emergency Physician: BENSON, LAURIE LYNN

Primary Physician: SWEENEY, ANTHONY J.

Data Source: ☒ Patient ☐ Family ☐ MD ☐ Pharmacies ☐ Old Records ☐ Nursing Home / other facility ☐ EHR

Patient's Pharmacy: 151 Address: 151 Phone #: 151

Latex Allergy: ☐ yes ☒ no Reaction: 151

Medicine / Food / Other Allergy	Reaction	Medicine / Food / Other Allergy	Reaction
<u>Penicillin</u>			

HOME MEDICATIONS						MD TO COMPLETE THIS SECTION Medication Changes / Special Instructions
MEDICATION NAME	DOSE	ROUTE	Frequency	Indication	Last Taken	
<u>MEDROL</u>	<u>6/8</u>	<u>2</u>	<u>2</u>		<u>1</u>	
<u>Tsmol</u>						
<u>Vitamin</u>						
<u>Aspirin</u>	<u>81mg</u>	<u>1</u>	<u>Prad</u>		<u>38%</u>	

RN Recording Home Medications:

PHYSICIAN DISCHARGE ORDERS:

NEW MEDICATIONS	REASON	INSTRUCTIONS
<u>Danazol</u>	<u>Pain</u>	

MEDICATION INSTRUCTIONS:

- ☐ Take all home medications listed above.
- ☐ Take home medications following instructions above.
- ☐ Follow up with your primary doctor about your home medications.
- ☐ Start new medications listed above.

DIAGNOSES:

- Fracture
- Right hand pain - index and long
- Right finger reduction

INSTRUCTIONS: ☐ Sedative / Narcotic ☐ Wound ☐ Head Injury ☒ Sprain/Fracture ☐ Back Pain

☐ Other: ☒ Return to Emergency Department if condition worsens or excessive and persistent pain, or

new symptoms / self concerns. The elevation.
Finger splint - as long as needed.

FOLLOW-UP:

Work/School Excuse: ☐ N ☐ Y until (date)

Call Dr. Sweeney for appointment / to be seen in 1 days Phone: 151

Call Dr. 151 for appointment / to be seen in 1 days Phone: 151

Emergency Physician Signature: DATE 8/8 TIME 151 Signature LB

RN Reviewing Instructions: DATE 151 TIME 151 Signature 151

Patient Signature: Ma Markowski

01-4110-22 Rev. 12/07

BARCODE

HOME MEDICATION LIST AND DISCHARGE INSTRUCTIONS
WHITE - MED RECORD CANARY - PATIENT PINK - PHYSICIAN



Columbia St. Mary's

A Passion for Patient Care

Columbia (CH) / Milwaukee (SM) / Ozaouke (SMO)

EMERGENCY SERVICES

HOME MEDICATION LIST AND DISCHARGE INSTRUCTIONS

Prescription, over-the-counter, and herbal/natural medications taken routinely prior to admission.

Pt# 870501-0095 Date 04/06/10

MARKOWSKI, NANCY A

Birthdate: 12/28/1941 Sex F Age 68

Emergency Physician GERSCHKE, GARY L., M

Primary Physician : SWEENEY, ANTHONY J.,

Data Source: ☐ Patient ☐ Family ☐ MD ☐ Pharmacies ☐ Old Records ☐ Nursing Home / other facility ☐ EHR

Patient's Pharmacy Address: Phone #

Latex Allergy: ☐ yes ☐ no Reaction:

Medicine / Food / Other Allergy	Reaction	Medicine / Food / Other Allergy	Reaction
NKDA			

HOME MEDICATIONS	DOSE	ROUTE	Frequency	Indication	Last Taken	MD TO COMPLETE THIS SECTION
MEDICATION NAME						Medication Changes / Special Instructions
Lasix						
Toprol						

RN Recording Home Medications:

PHYSICIAN DISCHARGE ORDERS:

NEW MEDICATIONS	REASON	INSTRUCTIONS
Valium		
Aspirin		

MEDICATION INSTRUCTIONS:

- ☐ Take all home medications listed above.
- ☐ Take home medications following instructions above.
- ☐ Follow up with your primary doctor about your home medications.
- ☐ Start new medications listed above.

DIAGNOSES:

1. Rotator cuff strain
2. Low back strain
- 3.

INSTRUCTIONS: ☐ Sedative / Narcotic ☐ Wound ☐ Head Injury ☐ Sprain/Fracture ☐ Back Pain

☐ Other: ☐ Return to Emergency Department if condition worsens or excessive and persistent pain, or

ice to sore areas yet today, heat tomorrow
Range of motion exercises as directed
Rx PMD if not improved 3-5 days

FOLLOW-UP: Work/School Excuse: ☐ N ☐ Y until (date)

Call Dr. for appointment / to be seen in days Phone:

Call Dr. for appointment / to be seen in days Phone:

Emergency Physician Signature: DATE 4/6/10 TIME Signature Julie Bond

RN Reviewing instructions: DATE 4/6/10 TIME 1400 Signature K. Riley

Patient Signature: [Signature]

01-4110-22 Rev. 12/07

BARCODE

HOME MEDICATION LIST AND DISCHARGE INSTRUCTIONS
WHITE - MED RECORD CANARY - PATIENT PINK - PHYSICIAN

The C. Ent. Atty said that the case happened
at 1640 N. Farnell - North Side of
CUS Store on Brady St.

(INCLUDE)

NOTICES SENT TO FOR FILE 101320:

[illegible]



Legislation Details (With Text)

File #: 101321 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 3/1/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Atty. Hannah Dugan on behalf of Joe Kuykendoll for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101321
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution relating to an appeal from Atty. Hannah Dugan on behalf of Joe Kuykendoll for property damage. (4th Aldermanic District)

Drafter
CC-CC
dkf
2/15/11

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
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JAN A. SMOKOWICZ
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THOMAS D. MILLER
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ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

January 20, 2011

Attorney Hannah C. Dugan
Law Offices of Hannah C. Dugan, LLC
731 North Jackson Street, Suite 505
Milwaukee, WI 53202

RE: Joe Kuykendoll
C.I. File No.: 10-S-295

Dear Attorney Dugan:

We have received your claim filed on behalf of your client, Joe Kuykendoll in the amount of \$2,780.00, regarding his vehicle, its contents and Mr. Kuykendoll's lost income due to the alleged mishandling of this stolen vehicle matter by the Milwaukee Police Department (MPD).

Our investigation reveals that Mr. Kuykendoll reported his 1994 Mercury stolen to the MPD on March 13, 2010 at/about 9:25 a.m. The Auto Theft Supplement completed at that time and signed by your client, noted he did not want the vehicle towed upon its recovery. The MPD recovered the vehicle late on March 13, 2010. Their records reflect they contacted Mr. Kuykendoll at 11:00 p.m. regarding the vehicle's recovery. MPD was then contacted on March 14, 2010 at/about 8:30 p.m. by your client regarding the second vehicle theft incident and another Stolen Vehicle Report was completed.

The City never had custody of the vehicle after the second theft was reported. The City learned that the vehicle had been destroyed on April 26, 2010, when MPD personnel ran their Stolen Vehicle Identification Number List against the Wisconsin Department of Motor Vehicle (DMV) records on June 15, 2010. The MPD completes this task pursuant to their procedures in these types of matters. The DMV does not advise the police agency when it receives destruction records on a particular vehicle. The DMV destroys their records on the vehicle immediately upon receiving proof that the vehicle has been disposed of. Since the DMV has destroyed all of its records, it is unknown who junked Mr. Kuykendoll's vehicle. Since the MPD followed standard procedures for its part in this matter, the City cannot accept liability and we are denying your claim.

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.288.2801 • TDD: 414.288.2025 • Fax: 414.288.8550

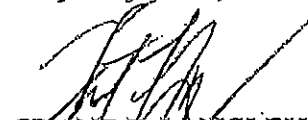
Attorney Hannah C. Dugan

January 20, 2011

Page 2

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT F. LANGLEY
City Attorney



ROBERT OVERHOLT
Investigator Adjuster

RMO:ms

1032-2010-2468:163349



February 9, 2011

VIA HAND DELIVERY

Milwaukee City Clerk
200 East Wells Street, Room 205
Milwaukee, Wisconsin 53202

Re: Appeal of Claim Against the City
Joe Kuykendoll
CI File No. 10-S-295

CITY OF MILWAUKEE
11 FEB -9 PM 4:44
RONALD D. LEONHARDT
CITY CLERK

Dear City Clerk,

This letter is being filed as an appeal of the above referenced case.

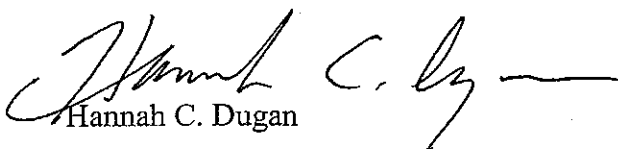
A denial of Mr. Kuykendoll's claim was included in the enclosed letter on January 20, 2011. Although addressed to counsel, it was not received. A telephone call to Mr. Overholt on February 9, 2011 led to learning about the denial. He faxed the document to me and I submit the faxed document for this appeal.

Please notify me whether additional documentation needs to be filed for the appeal to be considered.

Thank you for your attention.

Sincerely,

LAW OFFICES OF HANNAH C. DUGAN, LLC


Hannah C. Dugan

Enc.

CC Joe Kuykendoll

CITY OF MILWAUKEE
RECEIVED
2011 FEB 10 PM 3:26
OFFICE OF
CITY ATTORNEY



SERVED IN PERSON on September 7, 2010

September 7, 2010

CITY CLERK
ATTN: CLAIMS
200 E. Wells Street, Room 205
Milwaukee, WI 53202-3567

Re: Joe Kuykendoll claim

Dear City Clerk,

Accompanying this cover letter for filing is a Notice of Claim against the City filed on behalf of Joe Kuykendoll. Attached are referenced supporting documents.

I have been retained to represent Mr. Kuykendoll in this matter. Please direct your responses to me.

Thank you for your attention.

Sincerely,

LAW OFFICES OF HANNAH C. DUGAN

HANNAH C. DUGAN
Attorney at Law

Enc.

pc Joe Kuykendoll

CITY OF MILWAUKEE
10 SEP - 7 AM 9:11
RONALD D. LEONHARDT
CITY CLERK

CITY OF MILWAUKEE
RECEIVED
2010 SEP - 7 PM 3:15
OFFICE OF
CITY ATTORNEY

September 1, 2010

**NOTICE OF CLAIM AGAINST THE CITY OF MILWAUKEE
Of JOE KUYKENDOLL**

CITY CLERK
ATTN: CLAIMS
200 E. Wells Street, Room 205
Milwaukee, WI 53202-3567

Pursuant to Section 893.80(1), **JOE KUYKENDOLL** files this claim against the city of Milwaukee for monetary damages related to unauthorized destruction of personal property.

On July 20, 2010, the Milwaukee Police Department called Mr. Kuykendoll to state that his car, had been “junked”, per Department of Motor Vehicle records. When the PSSI was asked about additional information, Mr. Kuykendoll was informed that all the paperwork related to the “junking” of the vehicle was lost. This event gave rise to his claim against the city.

On March 13, 2010 Mr. Kuykendoll reported his vehicle as stolen to the Milwaukee Police Department (report 10-072-0073 and see attached police report 10-073-0118, suppl. No.1). Mr. Kuykendoll informed the police that he believed that his adult son (who was living with him temporarily) took the car and other property from his home as Mr. Kuykendoll slept. Both sets of car keys were missing when Mr. Kuykendoll discovered that the car was taken..

On March 14, 2010, the Milwaukee Police Department called Mr. Kuykendoll and reported that the vehicle was found and that it was located at 753 S. 22nd street. Mr. Kuykendoll was advised to pick up the car. The police did not mention securing or confiscating the car, or having it towed to the tow lot.

On March 14, 2010, Mr. Kuykendoll went to the address the police provided to him to retrieve his car but it was not at the address. He called the police about the location of the car and that it was not in the location they told him was found. Mr. Kuykendoll was told by police to return to his home and to re-report the theft of the vehicle. Mr. Kuykendoll followed the police directions and did re-report the theft. (see attached police report 10-073-0118, suppl. No.1).

On June 14, 2010 the Milwaukee Police Department wrote a report that the vehicle was listed as stolen per the NCIC data bank and that it was “junked” per the State of Wisconsin Department of Transportation records. Mr. Kuykendoll was not told this information nor that a report was written until he was called on July 20, 2010—fully five weeks after the report was written and nearly four months after his original report. Despite his inquiry, he was not provided with any additional information nor explanation about the vehicle, its “junking” the delay in notification and any recourse regarding the

theft, investigation of the theft, negligent police actions that allowed the automobile to be removed from the location the police found it in March, or the negligent actions of the police that allowed authorization for "junking" it and the negligent delay by the police in notifying Mr. Kuykendoll about the car being "junked" and failure to respond to his questions about economic recovery of the loss he incurred..

Mr. Kuykendoll has suffered economic income loss related to the junking of this car. The theft of the car and subsequent failure of the police to secure the car when it was found and to prevent its junking has affected Mr. Kuykendoll's income. He is a "visitor," hired by the Social Development Commission to check in on "shut-ins" in their homes at locations all over Milwaukee. He receives a \$20.00 stipend per visit. Because he was without his car he could not get to some of his clients' homes and incurred hardship and additional costs getting to some of his clients' homes via mass transportation.

Mr. KUYKENDOLL 's address is
520 North 20th street #213
Milwaukee, WI 53233
Telephone: 414- 937-2318

The vehicle is a 1994 Mercury TOP, Sedan , two door		
in excellent condition. (see attached)	valued	\$2,065.00
two used tires in the trunk	value for sale	75.00
one "The Club" security device	value	40.00

The forgone income from Mr. Kuykendoll 's SDC job, directly related to he being deprived of the use of his car is \$600.00.	<u>600.00</u>
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Total	\$ 2,780.00
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Despite being asked, the police did not provide Mr. Kuykendoll with information regarding a claim against the city and therefore he has incurred attorney costs as well.

Mr. Kuykendoll is represented by
Attorney Hannah C. Dugan
731 N. Jackson St #505
Milwaukee, WI 53202
414-277-1234

Incident Report MILWAUKEE POLICE DEPT

100720073

Supplement No
ORIG

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/13/2010
Nature of Call
MOTOVEHTFT
Officer
PERGANDE, GEORGE

(414) 935-7502

Administrative Information

Agency MILWAUKEE POLICE DEPT		Incident No 100720073		Supplement No ORIG		Reported Date 03/13/2010		Reported Time 09:25		CAD Call No 100720623		
Status REPORT TO FOLLOW			Nature of Call MOTOR VEHICLE THEFT									
Location 1300 E BRADY ST						City MILWAUKEE		ZIP Code 53202		Rep Dist 3900		
District 1	Squad 130	From Date 03/13/2010	From Time 00:01	To Date 03/13/2010	To Time 05:45							
Officer 012425/PERGANDE, GEORGE						Assignment FIRST DISTRICT - DAYS			Entered by 019118			
Assignment CENTRAL RECORDS DIVISION				RMS Transfer Successful		Property? None		Approving Officer 009315				
Approval Date 03/13/2010			Approval Time 19:37:29									
PROPERTY INSURED BY NONE			SYSTEM ID NO 26932912									
CRIME VICT RS FM PV-17 Yes												
# Offenses 1	Offense 943.23 (2)			Description Motor Vehicle Theft				Complaint Type W	AC C	Use N	Bias 88	Loc 18
#Pr	MOE	Act	Weapon/Force		IBRS 240	No 1						

Link SUS	Involvement SUS	Invl No 1	Name KUYKENDOLL, MARCALUS L	Race B	Sex M	DOB 09/10/1974
Link VIC	Involvement VIC	Invl No 1	Name KUYKENDOLL, JOE L	Race B	Sex M	DOB 09/23/1946

Person Summary

Invl SUS	Invl No 1	Type I	Name KUYKENDOLL, MARCALUS L	MNI 215818	Race B	Sex M	DOB 09/10/1974
Invl VIC	Invl No 1	Type I	Name KUYKENDOLL, JOE L	MNI 1998609	Race B	Sex M	DOB 09/23/1946

Vehicle Summary

Invl STN	Type 1	Plate No 594RKR	State WI	Lic Year 2010	Year 1994	Make MERC	Model TOP	Style 2D	Color BLU
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Narrative

Known suspect intentionally deprived victim of his vehicle without consent.

Incident Report

MILWAUKEE POLICE DEPT

100720073

Supplement No
ORIG

SUSPECT 1: KUYKENDOLL, MARCALUS L

Involvement SUSPECT	Invl No 1	Type INDIVIDUAL	Name KUYKENDOLL, MARCALUS L	MNI 215818	Race BLACK	Sex MALE
DOB 09/10/1974	Age 35	Ethnicity NOT OF HISPANIC ORIGIN	Juvenile? No	Height 5'09"	Weight 222#	Hair Color BLACK
Eye Color BROWN		Res Status RESIDENT				
OFN_INVL 1						

VICTIM (PERSON) 1: KUYKENDOLL, JOE L

Involvement VICTIM (PERSON)	Invl No 1	Type INDIVIDUAL	Name KUYKENDOLL, JOE L	MNI 1998609
Race BLACK	Sex MALE	DOB 09/23/1946	Age 63	Ethnicity NOT OF HISPANIC ORIGIN
Juvenile? No				
Hair Color UNKNOWN OR COMPLETELY BALD		Eye Color UNKNOWN		Res Status RESIDENT
Type HOME	Address 520 N 20TH ST #213			City MILWAUKEE
State WISCONSIN				
ZIP Code 53233				
Phone Type HOME	Phone No (414) 224-4912			

VICTIM ORDERED IN TO DA NO	ORDER IN TO VIEW PHOTOS NO	WILL VICTIM PROSECUTE YES	VICTIM GAVE CONSENT NO	VIC INFORMED CRM PRV SRV YES
VIC REQ ADDL CRM PRV SRV NO				

IBRS Info

Victim Invl No 1	Offense Codes 240
Rel RU	Involvement SUS
Invl No 1	Name KUYKENDOLL, MARCALUS L
Race B	Sex M
DOB 09/10/1974	

Vehicle: 594RKR

Involvement STOLEN	Type AUTO	Plate No 594RKR	State WISCONSIN	Lic Year 2010	Lic Type PASSENGER CAR	Year 1994	Make Mercury	Model TOP
Style SEDAN, 2 DOOR		Color BLUE	Value \$1,500	VIN 1MEPM31X7RK620232				
OWNER HAS KEYS NO		NO. OF PLATES ON VEH 2 PLATES		TOW AUTHORIZED NO		BROKEN GLASS NO		

MISC. INFO TURQUISE IN COLOR								
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Link SUS	Involvement SUS	Invl No 1	Name KUYKENDOLL, MARCALUS L	Race B	Sex M	DOB 09/10/1974
Link OWN	Involvement VIC	Invl No 1	Name KUYKENDOLL, JOE L	Race B	Sex M	DOB 09/23/1946

Modus Operandi

Gang Act? No	Gang Name NONE	Property Attacked MOTOR VEHICLES (AUTO, TRUCK, BUS)	Weapon Used NONE
Suspect Action TOOK VICTIM'S VEHICLE			
Crime Code(s) THEFT OF MOTOR VEHICLE			

Incident Report MILWAUKEE POLICE DEPT

100720073Supplement No
00012333 N. 49TH ST
Milwaukee, WI 53210Reported Date
03/13/2010
Nature of Call
RECOVRDVEH
Officer
BROCK III, RAYMOND J

(414) 935-7502

Administrative Information

Agency MILWAUKEE POLICE DEPT	Incident No 100720073	Supplement No 0001	Reported Date 03/13/2010	Reported Time 23:09	CAD Call No 100720623		
Status REPORT TO FOLLOW	Nature of Call RECOVERED VEHICLE						
Location 1300 E BRADY ST	City MILWAUKEE	ZIP Code 53202	Rep Dist 3900				
District 1	Squad 130	From Date 03/13/2010	From Time 00:01	Officer 017778/BROCK III, RAYMOND J			
Assignment SECOND DISTRICT - EARLY	2nd Officer ALVARADO, RODOLFO	Assignment SECOND DISTRICT - EARLY	Entered by 014585				
Assignment CENTRAL RECORDS DIVISION	RMS Transfer Supplement Transfer Complete	Property? None					
Approving Officer 005259	Approval Date 03/17/2010	Approval Time 19:39:36					

Vehicle: 594RKR

Involvement RECOVERED	Type AUTO	Plate No 594RKR	State WISCONSIN	Lic Year 2010	Lic Type PASSENGER CAR	Year 1994	Make Mercury	Model TOP		
Style SEDAN, 2 DOOR	Color BLUE	VIN 1MEPM31X7RK620232								
Stil Loc/Rec Loc Stolen Local/Recovered Local (UCR=1)	Rcv Date 03/13/2010	Rcv Value \$1,500								
Loc STREET/ALLEY/ROAD	Rcv Damage CRIMINAL DAMAGE	Rcv Location 753 S 22ND ST								
Rcv City MILWAUKEE	Rcv St WISCONSIN	Rep Dist 5218	Rcv Squad 230	Storage NONE	Condition NO DAMAGE	Gen Cond FAIR				
Dispo LEFT AT SCENE	Dispo Date 03/13/2010	RMS Transfer Successful								
TOW NUMBER 1444027	NO. OF PLATES ON VEH 2	OWNER NOTFD-RECOVER OWNER NOTIFIED	DATE/TIME NOTIFIED 03/13/2010 @ 2300 HRS							
NOTIFIED BY PEOPLESOFT# 017778										

Modus Operandi

Gang Act? No	Gang Name NONE	Weapon Used UNKNOWN	Crime Code(s) STOLEN VEHICLE
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Supplement

PO's BROCK III and ALVARADO came across the listed vehicle at the location of 753 S 22ND ST. A wanted check with DOT verified vehicle was stolen.

Incident Report
MILWAUKEE POLICE DEPT

100720073

Supplement No
0002

Supplement

no glass on scene.

I PO PERGANDE went to 1300 E Brady st to check for any possible evidence or cameras and did not find anything in the immediate area.

KUYKENDOLL stated he did not give anyone consent including MARCALUS to take or drive his 1994 Mercury Topaz or take his \$850.00. He also stated the vehicle contained two new tires in the trunk and his Club security device.

KUYKENDOLL stated he wanted to press charges against his son MARCALUS and was ordered in to the DA's office on 03-17-10, 1:30pm and

Incident Report MILWAUKEE POLICE DEPT

100730118

Supplement No
ORIG

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/14/2010
Nature of Call
MOTOVEHTFT
Officer
SCHULZ, CHRISTINE L

(414) 935-7502

Administrative Information

Agency MILWAUKEE POLICE DEPT		Incident No 100730118		Supplement No ORIG		Reported Date 03/14/2010		Reported Time 20:07		CAD Call No 100731837	
Status REPORT TO FOLLOW		Nature of Call MOTOR VEHICLE THEFT									
Location 753 S 22ND ST						City MILWAUKEE		ZIP Code 53233		Rep Dist 5218	
District 2	Squad 230	From Date 03/14/2010	From Time 18:00	To Date 03/14/2010	To Time 19:30						
Officer 018113/SCHULZ, CHRISTINE L						Assignment THIRD DISTRICT - EARLY					
2nd Officer PORUBSKY, ASHLEY M			Assignment THIRD DISTRICT - EARLY			Entered by 016995		Assignment CENTRAL RECORDS DIVISION			
RMS Transfer Successful		Property? None	Approving Officer 009315		Approval Date 03/14/2010		Approval Time 21:49:21				
PROPERTY INSURED BY NONE		SYSTEM ID NO 26933306									

CRIME VICT RS FM PV-17 Yes												
# Offenses 1	Offense 943.23 (2)			Description Motor Vehicle Theft			Complaint Type D	AC C	Use N	Bias 88	Loc 13	
#Pr 1	MOE	Act	Weapon/Force		IBRS 240	No 1						
Link VIC	Involvement VIC	Invl No 1	Name KUYKENDOLL, JOE L				Race B	Sex M	DOB 09/23/1946			
Link SUS	Involvement SUS	Invl No 1	Name KUYKENDOLL, MARCAIUS L				Race B	Sex M	DOB 09/10/1974			

Person Summary

Invl SUS	Invl No 1	Type I	Name KUYKENDOLL, MARCAIUS L	MNI 2975247	Race B	Sex M	DOB 09/10/1974
Invl VIC	Invl No 1	Type I	Name KUYKENDOLL, JOE L	MNI 2975241	Race B	Sex M	DOB 09/23/1946

Vehicle Summary

Invl STN	Type 1	Plate No 594RKR	State WI	Lic Year 2010	Year 1994	Make MERC	Model TOP	Style 2D	Color BLU
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Narrative

Unknown person; (however, son is suspect), intentionally deprived the victim of his vehicle without consent.

Incident Report MILWAUKEE POLICE DEPT

100730118

Supplement No
ORIG

SUSPECT 1: KUYKENDOLL, MARCAIUS L

Involvement SUSPECT	Invl No 1	Type INDIVIDUAL	Name KUYKENDOLL, MARCAIUS L	MNI 2975247	Race BLACK	Sex MALE
DOB 09/10/1974	Age 35	Juvenile? No	OFN_INVL 1			

VICTIM (PERSON) 1: KUYKENDOLL, JOE L

Involvement VICTIM (PERSON)	Invl No 1	Type INDIVIDUAL	Name KUYKENDOLL, JOE L	MNI 2975241
Race BLACK	Sex MALE	DOB 09/23/1946	Age 63	Ethnicity NOT OF HISPANIC ORIGIN
		Juvenile? No	Res Status RESIDENT	
Type HOME	Address 520 N 20TH ST #213			City MILWAUKEE
		State WISCONSIN		
ZIP Code 53233				

Phone Type HOME	Phone No (414) 426-4930	Phone Type HOME	Phone No (414) 937-2310
WILL VICTIM PROSECUTE YES		VICTIM GAVE CONSENT NO	VIC INFORMED CRM PRV SRV YES
		VIC REQ ADDL CRM PRV SRV NO	

IBRS Info

Victim Invl No 1	Offense Codes 240
Rel PA	Involvement SUS
Invl No 1	Name KUYKENDOLL, MARCAIUS L
Race B	Sex M
DOB 09/10/1974	

Vehicle: 594RKR

Involvement STOLEN	Type AUTO	Plate No 594RKR	State WISCONSIN	Lic Year 2010	Lic Type PASSENGER CAR	Year 1994	Make Mercury	Model TOP
Style SEDAN, 2 DOOR		Color BLUE	Value \$1,500	VIN 1MEPM31X7RK620232				
OWNER HAS KEYS NO - MISSING 2 SETS OF KEYS			NO. OF PLATES ON VEH 2	TOW AUTHORIZED NO TOW		BROKEN GLASS NO		
MISC. INFO NO OUTSTANDING FEATURES ON VEHICLE								
Link OWN	Involvement VIC	Invl No 1	Name KUYKENDOLL, JOE L			Race B	Sex M	DOB 09/23/1946
Link SUS	Involvement SUS	Invl No 1	Name KUYKENDOLL, MARCAIUS L			Race B	Sex M	DOB 09/10/1974

Modus Operandi

Gang Act? No	Gang Name NONE	Property Attacked MOTOR VEHICLES (AUTO, TRUCK, BUS)	Weapon Used NONE
Suspect Action TOOK VICTIM'S VEHICLE			
Crime Code(s) THEFT OF MOTOR VEHICLE			

Incident Report MILWAUKEE POLICE DEPT

100730118Supplement No
00012333 N. 49TH ST
Milwaukee, WI 53210Reported Date
03/14/2010
Nature of Call
MOTOVEHTFT
Officer
SCHULZ, CHRISTINE L

(414) 935-7502

Administrative Information

Agency	MILWAUKEE POLICE DEPT	Incident No	100730118	Supplement No	0001	Reported Date	03/14/2010	Reported Time	20:07	CAD Call No	100731837
Status	REPORT TO FOLLOW	Nature of Call	MOTOR VEHICLE THEFT								
Location	520 N 20TH ST #213					City	MILWAUKEE	ZIP Code	53233	Rep Dist	4600
District	Squad	From Date	From Time	To Date	To Time						
3	350	03/14/2010	18:00	03/14/2010	19:30						
Officer	018113/SCHULZ, CHRISTINE L					Assignment	THIRD DISTRICT - EARLY				
2nd Officer	PORUBSKY, ASHLEY M					Assignment	THIRD DISTRICT - EARLY				
RMS Transfer	Property?	Approving Officer	Approval Date		Approval Time						
Successful	Yes	005259	03/17/2010		22:48:26						

Modus Operandi

Gang Act?	Gang Name	Weapon Used	Crime Code(s)
No	NONE	NONE	THEFT OF MOTOR VEHICLE

Supplement

This supplement report is written by P.O. Christine SCHULZ, assigned to District 3, Early Shift. On, Sunday, March 14, 2010 at 8:30pm, P.O. Ashley PORUBSKY and I (squad 3250) were dispatched to a Theft of Vehicle at 520 N. 20th St. #213.

Prior to our arrival, I was advised by dispatch, that the victim (Joe L. KUYKENDOLL) had reported his vehicle (1994, Mercury, Topaz, Blue in color, 4DR, WI Plate 594RKR, last 4 of vin 0232) stolen yesterday (03-13-10). On today's date (03-14-10) KUYKENDOLL had received a telephone call from District 2, stating they had recovered his vehicle, from the address of 753 S. 22nd St. Since the vehicle was not tow authorized, KUYKENDOLL was advised to come pick up his vehicle.

KUYKENDOLL stated that when he arrived on scene, (753 S. 22nd St) his vehicle was no longer on scene. KUYKENDOLL was advised to return to his residence, and re-report his vehicle missing.

KUYKENDOLL stated that he believed that his son (Marcalus L. KUYKENDOLL) had taken the vehicle, and was still in possession of the vehicle. KUYKENDOLL stated that Marcalus was the only one that had access to the keys. KUYKENDOLL stated that Marcalus had not been around for a year.

This case is pending.

Incident Report MILWAUKEE POLICE DEPT

100730118Supplement No
00022333 N. 49TH ST
Milwaukee, WI 53210Reported Date
06/15/2010
Nature of Call
RECOVRDVEH
Officer
JACKSON, DALE M

(414) 935-7502

Administrative Information

Agency MILWAUKEE POLICE DEPT	Incident No 100730118	Supplement No 0002	Reported Date 06/15/2010	Reported Time 14:13	CAD Call No 100731837
Status REPORT TO FOLLOW	Nature of Call RECOVERED VEHICLE				
Location 753 S 22ND ST	City MILWAUKEE	ZIP Code 53204	Rep Dist 5218		
District 2	Squad 230	From Date 03/14/2010	From Time 18:00	Officer 003807/JACKSON, DALE M	
Assignment NEIGHBORHOOD INVESTIGATION DIV - DAYS	Entered by 003807				
Assignment NEIGHBORHOOD INVESTIGATION DIV - DAYS	RMS Transfer Supplement Transfer Complete			Property? None	
Approving Officer 010991	Approval Date 06/15/2010	Approval Time 16:10:00			

Vehicle

Involvement RECOVERED	Type AUTO	Year 1994	Make Mercury	Model TOP	Style SEDAN, 2 DOOR	Color BLUE	VIN 1MEPM31X7RK620232			
Stl Loc/Rec Loc Stolen Local/Recovered Other (UCR=2)	Rcv Date 06/15/2010		Recv Value \$1							
Rcv Location UNKNOWN	Storage NONE			Dispo DESTROYED						
Dispo Date 06/15/2010	RMS Transfer Successful									
TOW NUMBER UNKNOWN										

Modus Operandi

Gang Act? No	Gang Name NONE	Crime Code(s) RECOVERED STOLEN VEHICLE
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Supplement

CLEARANCE

This report is written by PSSI Dale JACKSON.

The vehicle in question was listed as stolen per the NCIC data bank.

A review of the offense report indicated that the vehicle in question was "Junked" per State of Wisconsin Department of Transportation records.

The vehicle was removed from the NCIC data bank.

Incident Report MILWAUKEE POLICE DEPT

100730118Supplement No
00032333 N. 49TH ST
Milwaukee, WI 53210Reported Date
07/20/2010
Nature of Call
MOTOVEHTFT
Officer
JACKSON, DALE M

(414) 935-7502

Administrative Information

Agency MILWAUKEE POLICE DEPT	Incident No 100730118	Supplement No 0003	Reported Date 07/20/2010	Reported Time 09:32	CAD Call No 100731837
Status REPORT TO FOLLOW	Nature of Call MOTOR VEHICLE THEFT				
Location 753 S 22ND ST			City MILWAUKEE	ZIP Code 53204	Rep Dist 5218
District 2	Squad 230	From Date 03/14/2010	From Time 18:00	To Date 04/26/2010	
Officer 003807/JACKSON, DALE M					
Assignment NEIGHBORHOOD INVESTIGATION DIV - DAYS			2nd Officer PORUBSKY, ASHLEY M		
Assignment THIRD DISTRICT - EARLY		Entered by 003807	Assignment NEIGHBORHOOD INVESTIGATION DIV - DAYS		
RMS Transfer Successful	Property? None	Approving Officer 005259	Approval Date 07/27/2010	Approval Time 18:20:55	

Modus Operandi

Gang Act? No	Gang Name NONE	Weapon Used NONE	Crime Code(s) THEFT OF MOTOR VEHICLE
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Supplement

This report is filed by PSSI Dale M. JACKSON.

After reviewing 10-072-0073 and 10-073-0118 which are both Auto Theft reports on the same auto I contacted the owner/complainant Joe L. KUYKENDOLL regarding his complaint. He related that he had reported his vehicle as stolen and District #2 of the MPD located it. Mr. KUYKENDOLL said when he went to recover it the car was no longer there, and re-reported it. He did say he had a photocopy of his title in his glove box in case he needed it to prove ownership.

Mr. KUYKENDOLL upon questioning denied having junked his auto. I informed him that I had checked with the Department of Motor Vehicles in Madison and found that they listed the vehicle as being junked April 26, 2010. The DMV no longer had the original paper work showing the person who junked the auto etc.



Kelley Blue Book Used-Car Values

1994 Mercury Topaz
GS Sedan 2D
[Change Vehicle](#)

Supply basic information to see values for this vehicle

Approximate Mileage:

100,000

Engine:

4-Cyl, 2.3 Liter

Transmission:

Automatic

Drive Type:

FWD


 Values provided by
Kelley Blue Book

Next Steps

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Equipment that may affect values (standard equipment is pre-selected)

☒ Air Conditioning

☐ Cruise Control

☒ Leather

☒ Power Steering

☒ AM/FM Stereo

☐ Sun Roof (Sliding)

☒ Power Windows

☒ Cassette

☐ Moon Roof

☒ Power Door Locks

☐ CD (Single Disc)

☐ Alloy Wheels

☐ Tilt Wheel

☐ CD (Multi Disc)

☐ Premium Wheels
Blue Book® Values for a 1994 Mercury Topaz GS Sedan 2D with
100,000 miles in ZIP Code 53233 on 09/01/2010

Vehicle Condition:	<u>Fair</u>	<u>Good</u>	<u>Excellent</u>
<u>Retail Value:</u>	N/A	N/A	\$2,915
<u>Private Party Value:</u>	\$1,390	\$1,890	\$2,065

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Kelley Blue Book does not provide retail values for vehicles in good or fair condition.

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NOTICES SENT TO FOR FILE 101321:

[illegible]



Legislation Details (With Text)

File #: 101313 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 3/1/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relating to the claim of the Joyce Olden for personal injuries. (7th Aldermanic District)
Sponsors: THE CHAIR
Indexes: CLAIMS APPEAL
Attachments: City Attorney Letter.pdf, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101313
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relating to the claim of the Joyce Olden for personal injuries. (7th Aldermanic District)
Requestor
City Attorney
Drafter
JAS:ms
February 8, 2011
1029-2010-3246:166079

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
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DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

February 8, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of Joyce Olden
C.I. File No. 10-S-415

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Joyce Olden, 3250 North 36th Street, Milwaukee, WI 53216, alleges that in late July or early August, 2010 she was being pushed in a wheelchair that went over a pothole. This caused her to fall out of the wheelchair into the pothole near the alley between 35th and 36th and Auer Avenue. She claims damages in the amount of \$10,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that prior to late July or early August, 2010, the City had no notice of this hazard in the roadway and because of this lack of notice, the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2010-3246:166077

CITY OF MILWAUKEE
10 NOV 18 AM 11:37
RONALD D. DEONHARDT
CITY CLERK

To whom it May concern:

I Joyce Alden fell into a pot hole which caused me to injure myself. It caused me to further injure myself even more.

The stitches were then torn open and staples pushed further into the flesh of my skin causing more damage to my leg. The doctors then had to cut more bone and skin to be removed from my leg. I was then told by the doctors that falling on that curb caused damage in which I had to stay in the hospital for days causing me more pain and suffering. I haven't gotten over the fact that I'm still going through more pain on a daily basis. Seeing a specialist & nurses coming every day to clean & dress the wound of my leg. This was told to the City several times that these pot holes needed to be repaired over and over again. Now this just caused more injuries to a person such as myself. So I feel that the state is very incompetent in the work that's supposed to be done by our city workers. look on BACK.

Sincerely Joyce Alden

CITY OF MILWAUKEE
NOV 19 11:09 AM
OFFICE OF THE CITY ATTORNEY
RECEIVED

414-875-9166

610-0653

3250 North 36th

Milw, WI 53216

The claimant said that this happened approximately in 8-10. The location is: in the street area near the curb line - 1/2 way into the street - near the alley which is on the side of the MPD station between 35th & 36th & Ave - not clear if it is E or W or N or S of station - check the complete area. The loss involves potholes.

(INCLUDE)

10-5-15

To whom it concern:

I Jayce Olden had a bad incident back here in August of 2010. I fell into a pot hole while being pushed in my wheel chair causing injury to my leg. The staples were pushed so far in my leg causing more injury and more pain to my leg. The paramedics were called and I had to be rushed to the hospital. My stay there was long and much more painful than out my stay in the hospital. More pain was caused by this injury along with suffering there out this journey. Now the nurse has to come everyday to clean and ~~the~~ wrap my leg everyday thru out this healing process. And up on this I fill that I should be awarded \$10,000 dollars for my pain and suffering thru out this journey.

Sincerely
Jayce Olden

P.S. This has been one long journey with nurses in and out of my house not being able to have at least a bit of privacy.

(414) 873-9166
(cell) 610-0653

3250 no. 36th st

RONALD D. HARRIS
CITY OF MILWAUKEE

2010 DEC - 1 PM 2:06

OFFICE OF
CITY ATTORNEY

41 DEC - 1 PM 3:41

CITY OF MILWAUKEE
RECEIVED







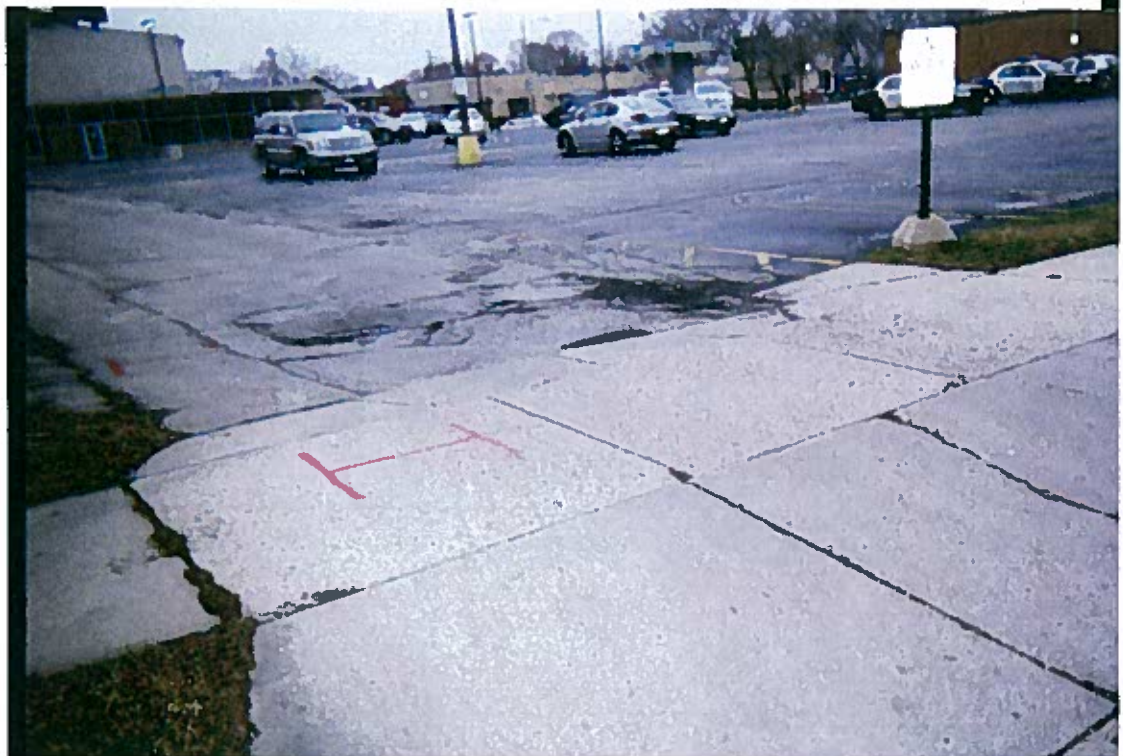


















NOTICES SENT TO FOR FILE 101313:

[illegible]



Legislation Details (With Text)

File #: 101310 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 2/8/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution expressing the City of Milwaukee's support for maintaining local control over residency rules.

Sponsors: ALD. HINES JR., ALD. HAMILTON, ALD. WITKOWSKI, ALD. MURPHY, ALD. DAVIS, ALD. WITKOWIAK, ALD. BAUMAN, ALD. WADE, ALD. ZIELINSKI, ALD. COGGS, ALD. KOVAC, ALD. PUENTE

Indexes: SOCIAL CONCERNS, STATE LEGISLATION

Attachments:

Date	Ver.	Action By	Action	Result	Tally
2/8/2011	0	COMMON COUNCIL	ASSIGNED TO		
2/28/2011	1	CITY CLERK	DRAFT SUBMITTED		

Number

101310

Version

SUBSTITUTE 1

Reference

Sponsor

ALD. HINES, HAMILTON, WITKOWSKI, MURPHY, DAVIS, WITKOWIAK, BAUMAN, WADE, ZIELINSKI, COGGS, KOVAC AND PUENTE

Title

Substitute resolution expressing the City of Milwaukee's support for maintaining local control over residency rules.

Analysis

This resolution expresses the City of Milwaukee's support for maintaining local control over employee residency rules. The resolution also directs the Intergovernmental Relations Division - Department of Administration to lobby for maintaining such control and the City's authority to establish residency requirements for its employees, and urges all state legislators to support current municipal residency requirements.

Body

Whereas, Under home rule granted to cities under the Wisconsin State Constitution and State Statutes, cities have the authority to govern themselves in local matters; and

Whereas, Local governments and school districts throughout the state are currently able to evaluate their own unique circumstances and concerns as they decide whether to require their employees to reside within municipal or district boundaries; and

Whereas, The issue of local residency is not a matter of state-wide concern but is instead clearly a

local question that should be determined by local governments that are directly accountable to local voters; and

Whereas, Generally, residency requirements have been upheld and deemed to be constitutional by federal courts, provided the employing jurisdiction has demonstrated a “rational basis” for these provisions, with the “rational” interests including such things as employee availability for emergency calls, employees having a stake in the community for which they work, enhancing the tax base, improving community attitudes and cooperation, increasing loyalty to the community, etc.; and

Whereas, The City of Milwaukee has had a residency requirement for its employees since 1930, and this practice has not impeded the City’s efforts to attract quality applicants for City employment; and

Whereas, In 2010, the City received 5,922 applications for general City employment from applicants, 82% of whom were already City residents; and

Whereas, In the City’s most recent recruitment, the City received 5,711 applications for the position of Firefighter and 3,569 applications for the position of Police Officer; and

Whereas, The City Service Commission grants temporary residency waivers for hardship and has approved all 106 waiver requests over the past 10 years; and

Whereas, The Fire and Police Commission also accepts requests for temporary residency waivers and has approved 23 out of 25 such requests over the past 5 years; and

Whereas, Since 1997, the City has implemented a hardship waiver of the residency requirement for employees whose spouses are subject to residency requirements in other jurisdictions; and

Whereas, The Department of Public Works must be able to mobilize its staff in a timely manner to respond to winter weather events that jeopardize public safety; and

Whereas, Minimizing the City’s response time is critical to reducing personal injury, property damage and adverse economic and financial impact; and

Whereas, It currently takes 2.5 to 3 hours for all 90 of the City’s first responder salt truck drivers to report, load and be dispatched to their routes; and

Whereas, The Blizzard of 2011 on February 2, 2011, produced 20 inches of snow and 44 mph winds and required Department of Public Works plow drivers to take their trucks home in order to safely get back onto the streets during the storm; and

Whereas, Concerns regarding response time also apply to protective services staff needed for emergencies or homeland security events; and

Whereas, Having police and fire department personnel live in the City provides them with better knowledge of the challenges facing the City, increased understanding of neighborhoods and enhanced relationships with residents; and

Whereas, Residency requirements encourage City employees to provide better results for residents since City employees are interested in the success of City services; and

Whereas, Employees who live within City boundaries make innumerable contributions to the City's economy, culture and community-contributions that would vanish if the employees lived elsewhere; and

Whereas, The financial impacts of the out-migration of public employees on the City of Milwaukee would include depressed residential and commercial property values which would in turn erode the years of investment that City residents have made in their homes and businesses; and

Whereas, Over time the reduction in property values would likely decrease Milwaukee property tax receipts, diminishing the ability of the City to provide services and continue to pay family-supporting wages to the very City employees whose residency requirements are affected; and

Whereas, The current system, under which local governments evaluate local considerations in order to determine whether to establish local residency requirements, is the most appropriate way for local governmental policy to be established; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council expresses support for maintaining local control over employee residency rules; and, be it

Further Resolved, That the Common Council expresses its grave concern about the devastating impacts that the elimination of such control could have on the City of Milwaukee, its homeowners and businesses; and, be it

Further Resolved, That the Intergovernmental Relations Division - Department of Administration is directed to lobby in support of maintaining local control over residency rules and the City's authority to establish residency requirements for its employees, and urges all state legislators to support current municipal residency requirements.

Requestor

Drafter
LRB125316-2
Teodros W. Medhin/lp
2/28/2011



Legislation Details (With Text)

File #: 101360 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 3/1/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relative to legislative bills.
Sponsors: THE CHAIR
Indexes: FEDERAL LEGISLATION, STATE LEGISLATION
Attachments: Agenda 03-10-11, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/3/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101360
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relative to legislative bills.
Drafter
IRD
Mo
2/25/11

LEGISLATIVE HEARING CALENDAR

COMMITTEE ON JUDICIARY-LEGISLATION

THURSDAY, MARCH 10, 2011 AT 1:30 PM

Room 301-B City Hall

**SB-27/
AB-40**

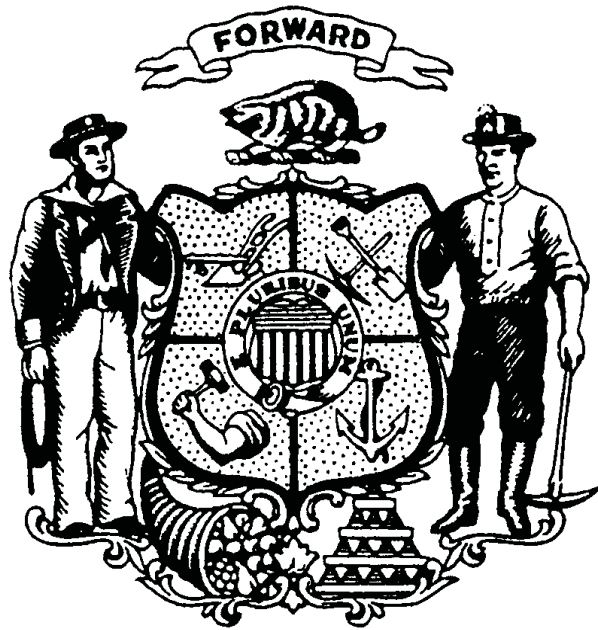
2011 Executive Budget

State finances and appropriations, constituting the executive budget act of the 2011 legislature.

STATE OF WISCONSIN

BUDGET IN BRIEF

SCOTT WALKER, GOVERNOR



MARCH 2011

DIVISION OF
EXECUTIVE BUDGET AND FINANCE
DEPARTMENT OF ADMINISTRATION

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Development of the 2011-13 Budget

I. DEVELOPMENT OF THE 2011-13 BUDGET

A. OVERVIEW

Wisconsin faces one of the largest deficits in its history. Despite massive infusions of federal assistance and one of the largest tax increases in state history over the past two years, the state, much like our nation, faces a daunting sea of red ink. These last two years have shown us that we cannot tax and spend our way to economic vitality. Governments around the nation and world are facing the hard reality that spending has outstripped our ability to pay for too long. We need to remember that our state constitution requires frugality in government spending. In addition, excessive and unnecessary government regulations and rules have gotten in the way of sustainable economic growth.

Governor Walker for years recognized that we need to rein in government and tell the world that Wisconsin is open for business. Upon taking office, he moved immediately to support Wisconsin's economy. Legislation was introduced and adopted to remove Wisconsin's tax penalty on health savings accounts and cut taxes on small business through job creation tax credits. The Wisconsin Economic Development Corporation was created to help grow and retain jobs. Regulatory relief and lawsuit reform legislation was rapidly adopted – bringing Wisconsin into line with the rest of the country in fostering a positive business climate without compromising Wisconsin's values.

Governor Walker inherited a budget deficit totaling \$3.6 billion. The economic conditions of the past three years have contributed greatly to this deficit. However, more importantly, the deficit demonstrates that the short-term approaches employed by past leaders of both parties have brought a false promise of future economic stability.

Past governors and legislators from both parties have securitized tobacco settlement revenues and raided funds set aside for transportation and medical malpractice insurance. They delayed payments and used other accounting tricks to balance the budget. They created taxes on the sick and set up shell games to net more federal funding. They used a massive infusion of one-time federal stimulus money to pay for and even expand existing programs. All these approaches only delayed the day of fiscal reckoning.

Our state is broke. We owe Minnesota nearly \$60 million in tax reciprocity payments and are under a Supreme Court order to pay the injured patients and families compensation fund over \$200 million. The state's Medicaid program faces a \$153 million deficit. Our taxes are among the highest in the country and our business climate ranks near the bottom.

The current path of our great state is unsustainable. We must fundamentally change our financial structure and truly bring costs in line with our ability to pay.

Wisconsin's general fund budget spends approximately \$14 billion annually. Over one-half of the budget goes to cities, counties, towns, villages, and school districts. One-quarter of the budget goes for state operations, primarily the Department of Corrections and the University of Wisconsin. Taken together, most of the general fund budget supports the compensation costs of public employees.

Wisconsin's public sector workers are second-to-none. Serving our citizens primarily in the areas of education and public safety, our government employees work hard and deliver quality services to Wisconsin citizens.

However, we have no choice but to reduce state spending. Those reductions, in isolation, will compromise Wisconsin's public services. In the absence of the tools necessary to get at the cost drivers of increased government spending – retirement and health care benefits – drastic actions, such as layoffs, will be among our only options.

Rather than compromise services to our citizens, public sector workers need to contribute more toward their benefits. We must bring the share of benefits paid by employees in line with the private sector. By doing that, jobs are preserved and Wisconsin's top quality public services remain protected.

This budget takes the steps necessary, and long overdue, to make a fundamental change in public sector financing. We must reduce our spending – our budget is out of balance and has been for many years. Our deficit is significant – therefore the reductions must be significant.

We can either leave local government and school district leaders with no choice but to layoff the public servants who teach our children, plow our streets, and deliver a multitude of other critical services, or we can give them the tools to manage this situation.

By asking public employees to contribute a reasonable amount to their pension and health care benefits, we give local governments and school districts the tools necessary to maintain services and balance their budgets.

The budget repair bill introduced by Governor Walker laid this groundwork. The bill gives local officials the tools necessary to manage their staff resources and enable the effective investment of limited public resources. Reductions are also necessary at the state agency level, and the budget repair bill provides the flexibility necessary to better manage the impact of these cuts on staff resources.

The Governor has always believed in limited and effective government. Inheriting a massive budget deficit in his first budget, he remains true to that course. His budget includes the following actions:

Restore Fiscal Responsibility to State and Local Finances. The budget reduces all funds spending by over \$4.2 billion biennially compared to the fiscal year 2010-11 adjusted base, a 6.7 percent reduction over base year doubled. The overall general fund budget increases by \$384 million, a 1.35 percent increase over base year doubled. This small increase in GPR is achieved in spite of a \$1.26 billion GPR increase in funding for Medicaid to replace an equal amount of one-time federal Medicaid funding from the 2009-11 biennium. In order to balance the budget and fund Medicaid, the remainder of the budget is cut by a net \$879 million GPR. Most significantly, the structural deficit is nearly erased with an estimated gap between current law revenues and expenditures of less than \$100 million in fiscal year 2013-14 and a two year gap of less than \$250 million by the end of the 2013-15 biennium (see Chart 1).

Savings have been realized through higher employee contributions for pension and health care benefits - reducing both state operations appropriations and assistance to local governments and school districts. Growth in property taxes is held in check through reductions in per student revenue limits and a no-growth levy cap on municipalities, counties and technical college districts. Many nonfederal and non-segregated fund appropriations, excluding salaries and fringe benefits, have been reduced by 10 percent or more. Specific grant programs, including family planning and buy local grants have been eliminated. In recognition of declining juvenile corrections populations, the budget reflects the closure of the Ethan Allen School near Wales and the consolidation of all juvenile corrections programs at the existing facility at Lincoln Hills in Lincoln County. The State Treasurer and Secretary of State offices are also being downsized to their specific constitutional responsibilities.

Create Jobs: The budget provides almost \$200 million biennially for the new Wisconsin Economic Development Corporation, in part from a new economic development fund. The budget also creates a new Department of Safety and Professional Services consisting of the current Departments of Regulation and Licensing and parts of the Department of Commerce. The new department will be focused on streamlining Wisconsin's business licensing and related regulatory framework. To further assist businesses with job growth, capital gains taxes are eliminated for long-term investments in Wisconsin businesses and combined reporting is streamlined. The budget also provides a total of \$3.2 billion during the biennium to support economic development efforts through investments in highway construction and rehabilitation projects, including \$225 million to accelerate reconstruction of the Zoo Interchange in Milwaukee County. The state's busiest highway interchange is a critical economic lifeline for businesses throughout Wisconsin – ensuring its safe and smooth operation can be delayed no longer.

Protect Our Local Schools. The budget reduces school aid by \$834 million over the biennium, a 7.9 percent reduction compared to the base year doubled. School district revenue limits are reduced by 5.5 percent in fiscal year 2011-12 and held flat in fiscal year 2012-13 to ensure that this cut does not result in property tax increases. As a result of the increase in school district employee contributions toward their pension and health insurance benefits, estimated to save nearly \$1 billion over the biennium, local schools will have the tools to manage these cuts without having to compromise services or affect staffing. The budget also eliminates a number of mandates. In response to calls for reform by school districts, the 180 day school year requirement is eliminated while the classroom hours requirement is maintained. In addition, teacher residency requirements are removed. Funding for an elementary school reading initiative and a student information system is provided in the budget to help improve education outcomes.

Expand Educational Options. The budget expands the Milwaukee private school choice and independent charter school programs in support of improved educational outcomes for all Wisconsin students. The cap on the number of participants in the Milwaukee private school choice program is repealed and the income eligibility limits phased out to allow greater participation in this important program. Independent charter school authority is expanded throughout the state, with any University of Wisconsin System four-year campus authorized to create a charter school. All public schools (including virtual charter schools) are also enhanced by removing the student participation limit and expanding the open enrollment application period.

Enhance Higher Education. The budget reorganizes the University of Wisconsin-Madison as a public authority in recognition of greater flexibility needed by our flagship university as it seeks to compete in the global teaching and research marketplace. The University of Wisconsin-Madison is one of our state's great treasures, a true engine of economic development. The budget establishes a separate board of trustees and provides greater flexibility in allocating resources, leveraging private support, managing building construction, setting tuition and compensating staff. The budget also includes a combined \$250 million GPR reduction to the University of Wisconsin System and University of Wisconsin-Madison over the biennium. Despite the condition of the state's finances, the budget preserves current financial aid funding for students attending the University of Wisconsin-Madison and University of Wisconsin System campuses, Wisconsin technical colleges, and private colleges.

Refocus Health Care Programs. The Governor recognizes that we must provide care to those who cannot provide for themselves. The single greatest threat to these fundamental health care supports and our long-term economic success is the rapid growth in health care costs. The budget takes a number of actions to begin "bending the cost curve" in long-term health care outlays. In addition to increasing health care premium contributions and seeking plan design changes in the health insurance program for state employees, the budget repair bill provides flexibility to the Department of Health Services to pursue approaches to constrain health care costs in the state's Medicaid program. The budget assumes savings from these reforms, including increased co-pays and deductibles, consolidation of eligibility determination activities, greater use of managed care, and a comprehensive review of the Family Care program and other steps necessary to bring health care cost inflation in line with our ability to pay.

Ensure Public Safety. The previous budget included a number of changes to state sentencing laws that, if left in place, would seriously compromise the safety of Wisconsin citizens by releasing dangerous criminals into our neighborhoods. The budget deletes those sentencing changes to ensure that truth-in-sentencing remains intact. The budget also adds staff resources to the Department of Justice to help protect our children from internet predators and provides funding to the Department of Corrections to protect crime victims through a centralized system for information on offender status and location.

B. REVENUE AND EXPENDITURE OUTLOOK

Much like the national economy, Wisconsin's economy is expected to slowly recover throughout the upcoming biennium. The revenue estimates released by the Legislative Fiscal Bureau on January 31, 2011, reflect the improved outlook for the nation and Wisconsin. The bureau projects revenues will

increase by \$559.7 million (4.6 percent) in the current fiscal year, by \$472.9 million (3.7 percent) in fiscal year 2011-12, and by \$525.9 million (4.0 percent) in fiscal year 2012-13.

These increases are broad-based, affecting individual and corporate income taxes and sales taxes. Individual income taxes are expected to grow 4.3 percent this year, 4.7 percent in fiscal year 2011-12 and 5.3 percent in fiscal year 2013. Sales taxes are also expected to increase this year and in each year of the upcoming biennium, with growth of 5.2 percent this year, 4.8 percent in fiscal year 2011-12 and 3.1 percent in fiscal year 2012-13. Corporate income taxes will behave more erratically but remain above recessionary levels. Corporate income taxes are expected to have strong growth of 12 percent in the current year, but decline by 3.7 percent in fiscal year 2011-12 and then grow by 2.8 percent in fiscal year 2012-13.

The underlying economic and revenue forecast assumes the continued implementation of tax cuts and credits enacted in prior years, as well as new business and job tax credits and exclusions enacted in the January 2011 Special Session.

While the return to growth in revenues is significant, fiscal year 2011-12 revenues will only reach a level similar to fiscal year 2007-08. In addition, the previous budget used several one-time measures and large tax increases to fund ongoing expenditures which are no longer sustainable. As such, this budget is balanced through permanent reductions in spending.

C. THE GOVERNOR'S VISION

The overall fiscal goals of the Governor's 2011-13 budget are as follows:

1. Foster meaningful long-term economic growth and job creation, laying the groundwork for creating 250,000 jobs by 2015.
2. Recognize the tax burden on people by balancing the budget through measures that generate savings at the state and local level.
3. Ensure a strong and sustainable budget outlook by bringing ongoing spending in line with ongoing revenues.

D. BALANCING THE BUDGET

Major Budget Pressures

Major budget pressures the Governor faced in balancing the budget include:

First, the loss of \$1.2 billion in one-time federal funding in the state's Medicaid program required cuts throughout the budget to maintain critical health care services to Wisconsin seniors, disabled individuals and low-income families.

Second, advanced commitments from the 2009-11 biennial budget totaled over \$2.5 billion. In addition to the Medicaid shortfall mentioned above, other pressures include one-time savings from the previous budget and debt service on deferred principal payments on general obligation bonds.

Third, in addition to the loss of one-time federal funding, overall Medicaid costs continue to outstrip growth in general fund revenues. Long-term care expenditures, in particular, are growing much faster than the rest of the budget.

Fourth, the unconstitutional transfer of \$200 million from the injured patients and families compensation fund to the Medical Assistance trust fund in the 2007-09 biennial budget will have to be addressed in the 2011-13 biennial budget.

Fifth, in addition to the costs of restructuring principal payments on short- and long-term debt, debt service costs have increased due to issuance of authorized bonds.

Sixth, in each budget the state must include funding for costs of any new positions, new programs and fringe benefit increases. These so-called standard budget adjustments are made to ensure that the new budget authority recognizes existing payrolls. Standard budget adjustments in the 2011-13 biennium are significantly higher due to one-time savings in the previous biennium associated with furloughs and other reductions to agency salary and fringe benefit budgets. The Governor has eliminated all furloughs in the 2011-13 budget.

Finally, every 11 years, the state needs to adjust the budget to reflect the accrual mismatch caused by the difference between the length of the fiscal year and the timing of biweekly pay periods. The cost of this adjustment is \$46 million GPR in fiscal year 2011-12. In addition, funds have been set-aside in compensation reserves to address increased employer costs for pension and health insurance. Due to the overall condition of the state budget, no funding is available for state employee pay increases over the next two years.

Balancing the Budget

Wisconsin's budget is broken due to an overreliance on one-time fixes, illegal transfers, unsustainable federal funding and economic weakness due to high taxes and job-killing regulations. The Governor is balancing the budget in two critical ways – improving the state's business climate in support of job creation and bringing state spending permanently in line with our ability to pay. State and local government employees are being asked to provide more toward their pensions and health care benefits - in keeping with norms for private sector employees and government workers in other states. The savings from these measures will allow spending to be reduced without compromising state or local services. Programs throughout the budget that do not pay for employee compensation costs are being reduced by 10 percent. Low priority programs are being eliminated and redundant services consolidated for savings.

Wisconsin is open for business. A vigorous, fully-employed state economy is the foundation for a healthy state budget. The budget lays that foundation through tax reductions, meaningful savings in government programs and investments in future growth. By making permanent reductions in spending, rather than short-term measures, the Governor's budget will bring the structural deficit under control and lay the groundwork for investments in economic growth, education and health care in future budgets.

CHART 1: DESPITE ONE OF THE LARGEST DEFICITS IN HISTORY; THE STRUCTURAL DEFICIT AT ALL TIME LOW

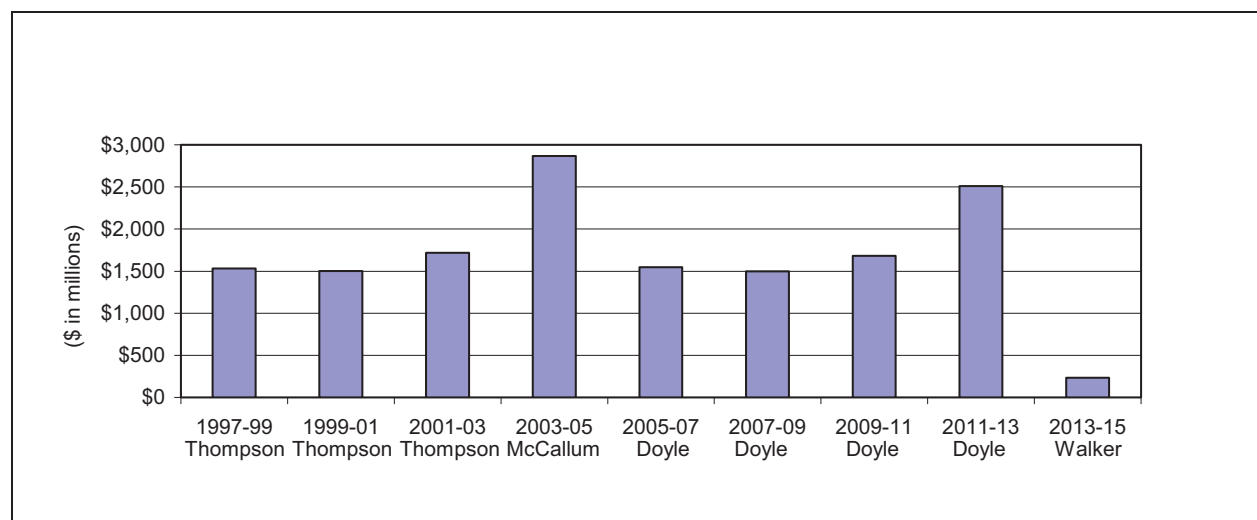


TABLE 1: SOLVING THE DEFICIT
(\$ in millions)

Department of Administration Report – November 19, 2010		-\$1,489
<u>Adjustments to DOA Report</u>		
DOA Budget Request – Continuation of 2009-11 Cuts		-800
DHS Budget Request – Medicaid Assumptions		<u>-1,067</u>
Net Deficit		-\$3,356
DOR Revenue Reestimates – December 2010		293
2011 Jobs Legislation (Health Savings Accounts, Jobs-Related Tax Credits)		-117
Legislative Fiscal Bureau Revenue Reestimates – January 31, 2011		-86
Legislative Fiscal Bureau FY11 Appropriation, Lapse and GPR-Earned Reestimates – January 31, 2011		67
Legislative Fiscal Bureau FY11 Appropriation Shortfalls – January 31, 2011		<u>-199</u>
Net Deficit		-\$3,398
Injured Patients and Families Compensation Fund (IPFCF)		
Settlement – Principal Repayment		<u>-200</u>
Net Deficit		-\$3,598
Medicaid – Administrative Savings		29
FY11 Budget Repair Bill – Change to Net Deficit		<u>115</u>
2011-13 Budget Gap		-\$3,455
Governor Walker's Plan for Addressing the Budget Deficit		
<u>Spending Changes</u>		2,920
GPR Spending Cuts	\$1,729	
Net Reductions From Agency Requests and Other Reestimates	627	
Other Cuts and Lapses to General Fund	267	
Medicaid Reestimates and Efficiencies	494	
GPR Spending Increases	-197	
<u>Revenue Changes</u>		-118
Capital Gains Exclusion for Wisconsin-Based Investments	-\$36	
Transfer of Motor Vehicle-Related Sales to Transportation Fund	-35	
Combined Reporting Modifications	-46	
IRC Update and Other Changes	-1	
<u>Other Changes</u>		<u>654</u>
Debt Restructuring	\$439	
Debt Service on FY11 and FY12 Debt Restructuring	-51	
Legal Settlement Reserve (Change From IPFCF Principal Repayment)	150	
Compensation Reserve (Change From November 19, 2010 Report)	87	
Lapses to General Fund	71	
Overall Balance of \$107 Million	-42	
Actions to Balance the Budget		<u>\$3,455</u>

Summary of Governor's Budget Initiatives

II. SUMMARY OF GOVERNOR'S BUDGET INITIATIVES

A. EDUCATION, WORKFORCE AND LOCAL GOVERNMENT



Elementary and Secondary Education

- Reduce equalization aid by \$749.4 million over the biennium to help address the state budget deficit.
- To protect property taxpayers, reduce school district revenue limits per pupil by 5.5 percent below the amounts authorized in fiscal year 2010-11 and maintain those same amounts over the biennium.
- To also protect property taxpayers, repeal revenue limit exemptions for school nurses, pupil transportation costs, school safety equipment and security officers.
- To begin to shift the state's focus from educational inputs to accountability for outcomes, create a student information system that will provide longitudinal data to state policymakers, school districts, parents and citizens on the performance of the state's public education system and its students.
- Create a third grade reading initiative that will require all third graders in Wisconsin's public schools achieve basic literacy by the end of third grade.
- For students who did not attend a Milwaukee choice school in 2010-11, phase out the family income requirement as a condition of eligibility for the Milwaukee Parental Choice Program.
- Modify the Milwaukee Parental Choice Program by repealing the enrollment cap; allowing any school in Milwaukee County to participate; authorizing choice schools to use any nationally-normed achievement test rather than just the Wisconsin Knowledge and Concepts Examination; including in statute current administrative rules related to identifying choice schools with questionable financial administration practices; and requiring the Department of Public Instruction to notify parents of choice students of changes in administrative rules and deadlines prior to the beginning of the school year.
- Authorize all four-year University of Wisconsin campuses to sponsor independent charter schools and allow charter schools to be created anywhere in Wisconsin.
- Replace the mandate that charter school teachers be licensed by the Department of Public Instruction with the requirement that they have at least a bachelor's degree.
- To further expand enrollment options for parents, repeal the enrollment limit for the virtual charter school program.
- Extend the deadline to apply under the open enrollment program period for public schools and virtual charter schools from the fourth Friday in February to the end of April.

- To help address the state's budget deficit, repeal GPR-funded categorical aid programs for advanced placement; alcohol and other drug abuse prevention and intervention; alternative education; children-at-risk; English for Southeast Asian children; improving pupil academic achievement; nursing services; preschool to grade 5 programs; science, technology, engineering and mathematics programs; and supplemental aid.
- To provide greater flexibility for school districts to address educational outcomes, eliminate mandates requiring school districts to: schedule at least 180 school days annually; employ reading specialists; employ only licensed school nurses who have at least a bachelor's degree; prepare detailed indoor environmental quality plans; provide training to staff on administering prescription and nonprescription drugs only if the training is approved by the Department of Public Instruction; and not exceed 200 teaching service days for Milwaukee Public Schools.

Higher Education

- Position the University of Wisconsin-Madison to improve its ability to remain a world leader in research and instruction by restructuring the campus as an independent public authority with greater flexibility to manage compensation, human resources, tuition and capital projects. Greater independence for the state's flagship campus will enhance the Madison campus' potential as a major research institution for job creation, recruitment of top faculty and students, research and patent production, and to better serve Wisconsin's businesses, parents and students.
- Require system administration to allocate \$250,000 over the biennium to develop a plan to convert the University of Wisconsin-Milwaukee to a public authority.
- Reduce state aid by \$250 million over the biennium to University of Wisconsin System institutions and University of Wisconsin-Madison to help address the state budget deficit. The reduction would be split equally between the University of Wisconsin-Madison and the University of Wisconsin System.
- Promote administrative efficiency by requiring the system administration central office to absorb a larger share of the \$125 million reduction to system campuses. System administration will be reduced by 25 percent compared to 11 percent for the system campuses.
- Provide a modest tuition increase for University of Wisconsin System institutions to keep resident undergraduate tuition affordable without sacrificing quality.
- Expand the Wisconsin GI tuition and fee reimbursement to provide full remission of academic fees for 128 credits or eight semesters, whichever is longer, without regard to the number of credits the veteran student received under federal program benefits. This restores a promise to our veterans.
- To ensure that student financial aid remains available for Wisconsin's working families, exempt financial aid from GPR reductions.
- Prevent cuts to student financial aid and focus scarce resources on current Wisconsin higher education grant programs by limiting the Wisconsin Covenant program to students signing the pledge before September 30, 2011.

- Reduce state aid to technical college districts by \$71.6 million over the biennium to help address the state budget deficit. Increases in employee contributions for pension and health insurance will generate savings in excess of this state aid reduction.
- To avoid state aid reductions being offset with property tax increases, prohibit technical college districts from increasing property taxes above the amounts levied in fiscal year 2010-11, or 1.5 mills, whichever is less.
- Eliminate nonresident tuition and fee exemptions for undocumented persons at University of Wisconsin System campuses, the University of Wisconsin-Madison and technical college campuses.

Property Tax Relief

- Reduce calendar year 2012 county and municipal aid payments by \$96 million. Align adjustments in local government aids to the ability of local governments to realize savings on employee compensation to offset any potentially negative impact on municipal and county budgets.
- Cap county and municipal levy increases at the greater of 0 percent or the gain in value due to net new construction, and extend levy limits for two years.
- Require municipalities and counties that have declining debt service to reduce levies to reflect this reduced cost, thereby providing additional property tax relief to the taxpayers in those municipalities.
- Reduce the minimum inflation rate in the Expenditure Restraint Program from 3 percent to 0 percent to strengthen the incentive to create greater operating efficiencies for municipalities.
- Provide an additional \$1 million to reimburse local governments for damages and costs incurred as a result of major catastrophes if federal disaster assistance is not available.
- Fund the increase in the first dollar credit (\$10 million over the biennium) enacted in the 2009-11 biennium.

B. ECONOMIC DEVELOPMENT AND TRANSPORTATION



- Provide \$98.8 million in fiscal year 2011-12 and \$97.5 million in fiscal year 2012-13 for the recently enacted Wisconsin Economic Development Corporation to support economic development programs and operations. Creation of the corporation as a quasi-public authority focused on economic development will allow the corporation to attract top level talent, and provide more flexible and responsive support to the business community and job creators throughout Wisconsin.
- Eliminate the Department of Commerce and transfer economic development funds and the administration of tax credit certification to the Wisconsin Economic Development Corporation. Other related transfers of functions include:
 - Funding and positions related to the Division of Environmental and Regulatory Services, Division of Safety and Buildings, certification for woman-owned, minority-owned and disabled veteran-owned businesses to the Department of Regulation and Licensing, which is to be renamed the Department of Safety and Professional Services.
 - Funding and programs related to housing to the Wisconsin Housing and Economic Development Authority.
 - Technical assistance for the tribes funding to the Department of Administration.
 - Dairy 2020 program and administration for the dairy manufacturing facility investment credit to the Department of Agriculture, Trade and Consumer Protection.
 - Administration of the film production tax credit to the Department of Tourism.
- Establish ongoing funding for regional economic development organizations.
- Establish an Office of Business Development in the Department of Administration staffed with two positions appointed by the Governor to further support the needs of businesses.
- Modify the treatment of capital gains that are invested in Wisconsin-based businesses to make businesses in this state more attractive to investors, including a 100 percent exclusion for capital gains realized on Wisconsin-based capital assets held for five or more years and a 100 percent capital gains tax deferral for gains reinvested in Wisconsin-based businesses.
- Allow tax-option corporations that are nonoperating entities to claim angel investments credits for investments in new business ventures.
- Modify the holding period from one to three years for early stage seed or angel investments made after December 31, 2007.
- Modify the jobs tax credit to delete the upper wage limit, but establish a maximum annual credit of \$10,000 per job.
- Increase tourism marketing to \$15 million by fiscal year 2012-13 to help increase tourism spending and its direct positive impact on local economies throughout the state.

- Transfer the Arts Board to the Department of Tourism to help focus support for the arts and grow the economy.
- Invest a total of \$5.7 billion in Wisconsin's transportation system, including a \$410.5 million (14.7 percent) increase in highway funding over base amounts.
- Provide \$225 million for accelerating reconstruction of the Zoo Interchange to address immediate infrastructure needs, and \$195 million to continue construction of the I-94 corridor between Wisconsin's border with Illinois and the Mitchell Interchange in Milwaukee.
- Increase funding over base amounts by \$59.1 million over the biennium for the Major Highway Program to advance currently enumerated projects and begin initial work on four newly enumerated projects, keeping the percentage of transportation revenue bonding for the program at 42.2 percent.
- Provide an additional \$110.8 million base funding over the biennium for the State Highway Rehabilitation Program to meet increased costs and provide safe driving conditions on state highways.
- Fund transit operating aids from the general fund beginning in fiscal year 2012-13 to further strengthen the relationship between user fee revenues and investments in transportation infrastructure.
- Strengthen the link between vehicle-related user fees and transportation investments by phasing-in the deposit of motor vehicle related sales taxes into the transportation fund.
- Support economic development, and job creation and retention by investing in harbors and freight rail service.
- Expand the financing options offered to health care and private educational providers by the Wisconsin Health and Education Financing Authority.

C. ENVIRONMENTAL AND NATURAL RESOURCES MANAGEMENT



- Maintain the ideals of the Stewardship Program while refocusing scarce state resources on priority lands.
 - Require lands purchased under the Stewardship Program to have full public access, unless the Department of Natural Resources determines the need for an exception to protect public safety, a natural resource or usership pattern on a trail.
 - Eliminate payments for aids in lieu of taxes on future land purchases and require local governments affected by these purchases to pass a nonbinding resolution in support or opposition to the purchase that the Department of Natural Resources must consider before making a final purchase.
 - Allow purchases only for fee simple land acquisitions, prohibit purchase of development rights, and only acquire easements when needed for logging, accessing adjacent publicly-owned land, state trails or the Ice Age Trail. Limit these easements to five acres or less.
 - Reduce acquisition costs for land to reflect the lower of the acquisition price or current fair market value, and require at least two appraisals for all grants.
- Respond to the continued economic challenges by keeping hunting and fishing license fees at current levels. Savings from employee compensation and program reductions will keep overall fish and wildlife revenues in balance with expenditures.
- Provide \$70,900 PR and 1.0 FTE position in each year to administer the Endangered Resources Review Program. This program has undergone rule changes that now include an expedited review of proposed development projects that allows development to occur at a quicker pace.
- Support the important role of law enforcement conducted by conservation wardens and rangers across the state by providing the following: \$175,000 SEG each year for warden recruit class support; \$338,500 SEG each year to master lease new warden laptops; \$288,000 SEG in fiscal year 2011-12 to permit radio trunking on warden radios; and \$125,000 SEG in fiscal year 2011-12 and \$109,500 SEG in fiscal year 2012-13 for law enforcement equipment in the parks.
- Provide \$32,100 SEG in fiscal year 2011-12 and \$24,100 SEG in fiscal year 2012-13 for limited term employees, and supplies and services associated with a new campground at Governor Thompson State Park in Marinette County.
- Provide \$407,800 SEG in each year to support the opening of several new facilities at parks and southern forests across the state as the parks welcome increasing numbers of visitors each year.
- Protect the Great Lakes and other waters by providing \$5 million in bond revenues to clean up contaminated sediments in the Great Lakes or its tributaries.
- Ensure the safety of Wisconsin's dams by providing \$4 million for dam repair, reconstruction and removal projects, and ensure greater program flexibility by removing the deadline for grant requests.

- Protect our lakes and rivers and improve water quality in Wisconsin by providing an additional \$20 million over the biennium to reduce nonpoint source water pollution through increased nutrient management planning and other pollution abatement practices.
- Continue to investigate and remedy environmental contamination by providing \$3 million in bond revenues for contaminated site repair.
- Modify the subsidized loan rates for the Clean Water Fund Program from 60 percent of the market rate to 80 percent, and reduce the amount that may be provided as financial hardship assistance to bring costs in line with state budget realities. Provide \$9.4 million for the Safe Drinking Water Loan Program and \$353 million in revenue obligation bonds for the Clean Water Fund Program, and set the present value subsidy level at \$30.7 million for the Safe Drinking Water Loan Program and \$54.4 million for the Clean Water Fund Program.
- Streamline regulatory authority by transferring soil erosion control regulation for commercial sites from the Department of Natural Resources to the Department of Regulation and Licensing, which is reorganized as the Department of Safety and Professional Services.
- Provide relief to municipalities by reforming regulations for effluent limitations on phosphorous so that Wisconsin's regulations are no more stringent than neighboring states, and repealing and recreating the municipal separate storm sewer systems stormwater standard that requires communities to reduce total suspended solids by 2013, so the standards are no more stringent than federal law and take into account its cost to municipalities.
- Eliminate the requirement that a municipality or county operate a recycling program to manage solid waste in compliance with the disposal restrictions, and eliminate the financial assistance for local governmental recycling programs.
- Convert the recycling and renewable energy fund to the economic development fund. Transfer a portion of the recycling tipping fee and current appropriations that are for purposes related to the environment to the environmental fund.
- Maintain a program for brownfields redevelopment and enhance its economic development potential by providing the Wisconsin Economic Development Corporation the authority to issue grants.
- Strengthen Wisconsin's meat industry by authorizing additional meat inspectors to ensure food safety and support business growth.
- Eliminate the conversion fee for rezoning land out of a farmland preservation zoning district, and eliminate the purchase of agricultural conservation easements program and \$12 million in GPR-supported general obligation bonds associated with the program.
- Eliminate the requirement that at least 20 percent of a diesel idling program grant be withheld until the recipient has complied with certain grant conditions, and eliminate the requirement to purchase more than one type of idling reduction units from more than one manufacturer.

D. HEALTH AND HUMAN SERVICES



- Preserve the health care safety net provided by Medicaid, BadgerCare Plus and SeniorCare while implementing significant, immediate program reforms to bring an end to the unsustainable rate of growth in order to ensure the programs can continue to serve the populations that depend on them.
 - Offer multiple, customized benefit plans tailored to the needs of specific populations and bring the coverage of working families back in line with private insurance.
 - Manage the care provided to high-needs individuals to prevent avoidable complications and reduce the provision of unnecessary services.
 - Develop innovative models of service delivery to realign provider incentives with better outcomes, and coordinate care covered by Medicare and Medicaid to better meet the needs of recipients.
 - Expand programs that encourage and support the self-direction of services, giving individuals the opportunity to decide how and when services are delivered to best meet their needs while promoting the efficient use of benefits.
 - Develop systems to encourage and reward individual responsibility by assisting recipients in making healthy lifestyle choices, managing their benefits effectively and avoiding unnecessary care.
- Review the Family Care community-based, long-term care program including the results of an audit conducted by the Legislative Audit Bureau. The Family Care program has expanded from five pilot counties in 2006 to 56 counties covering 80 percent of the state's population in January 2011. During this period, there has not been an adequate review of the effectiveness of the program in meeting the care needs of participants, and providing services in a cost-effective and accountable manner. The costs for providing services to individuals currently enrolled in Family Care are fully funded in the budget.
- Fund the costs of administering the Medicaid, BadgerCare Plus, Family Care and SeniorCare programs based on actual expenditures in prior years.
- Fund the costs of payments for funeral and burial services for indigent Medicaid recipients.
- Improve the efficiency of the Income Maintenance eligibility determination system by centralizing and automating the process, reducing total program costs by \$48 million per year and decreasing the number of staff by 270 FTE positions overall.
- Eliminate the state-only FoodShare program that provides FoodShare benefits to legal immigrants who do not meet federal residency requirements. The cost of this program has grown from \$400,000 GPR per year to \$3,000,000 GPR per year, making the continuation of this program unsustainable in the current budget climate.

- Open and fund a new unit for women at the Wisconsin Resource Center that provides treatment to mentally ill inmates from the Department of Corrections. Creation of the unit was required under a lawsuit settlement with the U.S. Department of Justice.
- Realize over \$5 million in GPR savings per year by closing units at the Wisconsin Resource Center and relocating sexually violent persons to vacant units at the Sand Ridge Secure Treatment Facility. This will decrease the number of state employees by 59.25 FTE positions.
- Restore expenditure authority and positions at the Southern Wisconsin Center for the Developmentally Disabled based on the actual number of residents relocated to the community over the past biennium.
- Allow the Department of Health Services to set fees for copies of medical records and for congenital disorder testing of infants in administrative rule.
- Ensure the solvency of the veterans trust fund through the biennium by providing funding and giving the Department of Veterans Affairs flexibility to reallocate revenues within the agency.
- Provide funding for the Department of Veterans Affairs to build and operate a new veterans home in Chippewa Falls. The department will contract for the daily operations and staffing of the home.
- Provide additional expenditure authority to increase staffing and maintenance at the Wisconsin Veterans Memorial Cemeteries in order to meet the demand for services.
- Provide expenditure authority and staffing to redevelop exhibit space at the Wisconsin Veterans Museum to create a temporary Civil War exhibit, and to move manuscripts, collections and archival materials to a new preservation storage facility.

Children and Families

- Transfer the FoodShare, State Supplement to Federal Supplemental Security Income and Caretaker Supplement programs from the Department of Health Services to the Department of Children and Families to consolidate economic welfare programs into one agency and streamline state services.
- Reform the Wisconsin Works (W-2) cash assistance program to enhance participant accountability for participation in work experience as a condition to receive cash assistance.
- Authorize the Department of Children and Families to implement tiered-reimbursement for child care providers based on a provider's quality rating.
- Authorize the Department of Children and Families to implement several cost-saving measures to the child care subsidy program, including implementing a waiting list, increasing copayments that individuals who receive a subsidy pay, adjusting the amount of reimbursement paid to child care providers and adjusting the gross income levels for eligibility for child care subsidies.

- Provide \$2.7 million over the biennium to fund out-of-home care expenditures in the Bureau of Milwaukee Child Welfare due to increasing caseloads and previous federal disinvestment in child welfare.
- Provide \$324,300 and 5.0 FTE positions in fiscal year 2011-12 and \$488,800 and 6.0 FTE positions in fiscal year 2012-13 to implement a regulated rate system for group homes, residential care centers and treatment foster care agencies.

E. JUSTICE



- Ensure public safety through repeal of sentencing changes in 2009 Wisconsin Act 28 that enabled the early release of offenders from prison.
 - Repeal the ability for offenders to earn time off the confinement portion of their sentence for good behavior.
 - Repeal the option for judges to sentence an offender to an alternative sentence that could result in release from confinement when 75 percent of the sentence is served.
 - Repeal the ability of the Department of Corrections to discharge an offender from extended supervision after two years or discharge an offender from probation after serving half of the sentence.
- Provide \$394,000 GPR in fiscal year 2011-12 and \$376,300 in fiscal year 2012-13 and 6.0 FTE GPR positions to increase the number of DNA analysts in the state crime laboratories. Positions are needed to prevent a backlog of DNA cases due to the increase in the number of submissions from law enforcement.
- Provide \$497,300 GPR and 8.0 FTE GPR positions in fiscal year 2011-12 and \$543,900 GPR and 11.0 FTE GPR positions in fiscal year 2012-13 to increase staffing for investigating Internet crimes against children. The funding will support five new criminal analyst positions, three new special agent positions and two support positions, and enable an increased number of investigations of on-line predators targeting children.
- Reduce funding by \$22,701,100 in fiscal year 2011-12 and \$29,954,800 in fiscal year 2012-13 in the Department of Corrections to reflect declining adult prison populations due to increased success of pre-incarceration diversion programs. In fiscal year 2009-10, the average daily population in adult institutions was 23,015, compared to 23,341 in fiscal year 2007-08. The projected fiscal year 2012-13 average daily population is 21,217. These trends are occurring on a national basis and are not the result of the early release and truth-in-sentencing modifications from 2009 Wisconsin Act 28.

- Consolidate juvenile offenders into one correctional facility, and eliminate expenditure authority and positions to reflect a dramatically lower population. In fiscal year 2009-10, the juvenile institution average daily population was 466, compared to 587 in fiscal year 2007-08. The projected fiscal year 2012-13 average daily population is 340.
 - The Department of Corrections has been unable to reduce operating expenses at juvenile correctional facilities enough to accommodate lower populations, resulting in an increasing deficit. To better manage funds and control escalation of the rates charged to counties who place juveniles in institutions, the department will close Ethan Allen School in Waukesha County and move the juveniles to Lincoln Hills School in Lincoln County.
 - To further maximize savings, the Department of Corrections will close Southern Oaks Girls School in Racine County and transfer the female juveniles to Copper Lake School at Lincoln Hills.
- Provide daily rates of \$284 in fiscal year 2011-12 and \$289 in fiscal year 2012-13 for counties to place a juvenile in a correctional facility. Closing Ethan Allen School and Southern Oaks Girls School is intended to keep this rate from escalating to a level that would be unmanageable for counties.
 - The daily rates for the 2011-13 biennium include \$17 in each year to eliminate the deficit in juvenile facility operations over the next ten years.
 - Maintaining the current three facilities and addressing the deficit would result in rates of \$538 in fiscal year 2011-12 and \$543 in fiscal year 2012-13.
- Convert 27.6 LTE positions to FTE positions in fiscal year 2011-12 to equip the Department of Corrections to handle an increase in operating while intoxicated offenders placed on community supervision as a result of the strengthening of drunken driving penalties in 2009 Wisconsin Act 100.
- Provide funding of \$511,900 in fiscal year 2011-12 and \$692,600 in fiscal year 2012-13 for county-level Victim Information and Notification Everyday services through the biennium; and accompanying protective order services beginning in fiscal year 2012-13 to protect crime victims through a centralized system for information on offender status and location.
- Provide \$1,062,200 PR in fiscal year 2011-12 and \$421,700 PR in fiscal year 2012-13 and 1.0 FTE position for ongoing costs associated with the Wisconsin Interoperable System for Communications to ensure first responders can communicate during an emergency.
- Provide \$1,000,000 PR in each year to retain experienced assistant district attorneys, and ensure effective and efficient prosecution.
- Provide \$128,300 PR in each year to fully fund the federal surplus property program that enables law enforcement agencies to procure surplus equipment and maximize resources.
- Modify the democracy trust fund to: (a) require the democracy trust fund be funded by voluntary contributions on individuals' state tax returns; (b) limit the amount of funding available for public campaigns to the amount of money in the fund; (c) permit two-thirds of the available funds to be used for judicial races; and (d) eliminate sum sufficient matching grants paid out of the general fund.

- Convert a 1.0 FTE GPR project auditor position in the Supreme Court to permanent status to assist counties with an accurate reporting of circuit court costs and ensure consistent reporting statewide.
- Increase funding by \$120,800 GPR in fiscal year 2011-12 and \$53,400 GPR in fiscal year 2012-13 to pay increased liability premium costs incurred by the Judicial Commission as the result of lawsuits that challenged Supreme Court rules.
- Implement a strategic planning process to determine allocation of federal Byrne/Justice Assistance grant dollars and remove earmarks to enable the Office of Justice Assistance to maximize funding for evidence-based programs.
- Provide \$41,000 PR in fiscal year 2011-12 to enable the State Law Library to purchase digital editions of archived court decisions to assist with space needs in the collection and enable on-line access to additional legal materials.
- Modify the fees charged by the Department of Justice for performing a background record check to create a single fee of \$7 per request, regardless of the entity requesting the background check.
- Provide supplies and services funding of \$619,900 in fiscal year 2011-12 and \$373,900 in fiscal year 2012-13 for 45.4 FTE positions provided to the Office of the State Public Defender for an expected increase in cases that qualify for state public defender representation as a result of the new indigency standard implemented in 2009 Wisconsin Act 164. The new standard applies to cases opened on or after June 19, 2011, and is modeled after the W-2 eligibility standard.
- Provide funding for the State Public Defender private bar appropriation to allow the agency to meet a projected increased need in both years of the biennium.

F. GOVERNMENT OPERATIONS AND EFFICIENCY



- Increase state employee contributions towards pension and health insurance costs. Employees will generally pay 50 percent of the total required retirement contribution, which for calendar year 2011 equals 5.8 percent of salary. Increase employee contributions for health insurance from approximately 6 percent of the premium to 12.6 percent of the premium. These modifications are necessary to bring state employee compensation in line with private sector employment and reduce compensation costs.
- Reduce funding, excluding salary and fringe benefits, in most GPR and PR appropriations by 10 percent to create additional efficiencies and balance the budget.
- Eliminate 735 FTE positions that have been vacant for longer than 12 months.

- Authorize the Department of Administration secretary to lapse program revenue related to: employee compensation reductions; eliminated positions that have been vacant longer than 12 months; and across-the-board reductions of nonsalary and fringe budgets of most agencies. The secretary would also be authorized to lapse general purpose and program revenue from the elimination of budget authority related to the 2 percent wage increase for represented staff that was approved in June 2009.
- Authorize the Department of Administration secretary to lapse an additional unallocated \$145 million over the biennium from GPR and PR appropriations to executive branch agencies in order to balance the budget.
- Authorize the Department of Administration secretary to abolish any vacant full-time equivalent position at any executive branch agency if the secretary determines that filling the position is not required for the state agency to carry out its duties and exercise its powers.
- Modify provisions relating to procurement of goods and services to streamline administrative processes and improve efficiency.
- Increase expenditure and position authority in each year for critical customer service support at the Department of Employee Trust Funds.
- Reorganize the Department of Regulation and Licensing as the Department of Safety and Professional Services and consolidate regulatory functions from the Department of Regulation and Licensing, the Department of Commerce, the Department of Agriculture, Trade and Consumer Protection, and the Department of Veterans Affairs. This consolidation will result in greater administrative efficiency and improved oversight, with no increase in the fees for licensure or certification.
- Transfer the local government investment pool and the college savings program from the State Treasurer to the Department of Administration.
- Eliminate the Office of Energy Independence and merge its responsibilities into the Division of Energy within the Department of Administration.
- Improve customer service by transferring responsibilities for trademark and trade name registrations, and notary public commissions from the Secretary of State to the Department of Financial Institutions, creating a one-stop shop at the department for entities registering trade names and filing as corporations.

G. REVENUE AND GENERAL FUND TAXES



- Create a 100 percent exclusion from capital gains taxation for investors who invest in Wisconsin-based business and hold those investments for five or more years.
- Expand the capital gains tax deferral for investments in qualified new business ventures to include all Wisconsin-based businesses to encourage investors to reinvest investment earnings in Wisconsin.
- Update Wisconsin's tax code to recent changes in the federal Internal Revenue Code, increasing tax collections by \$230,000 in fiscal year 2011-12 and decreasing tax revenues by \$347,000 in fiscal year 2012-13.
- Allow businesses to reduce their tax burdens by allowing broader use of losses incurred prior to the passage of combined reporting, and increase the period that those corporations can carryforward losses from 15 years to 20 years. Businesses will realize tax savings of \$9.2 million in fiscal year 2011-12 and \$37.2 million in fiscal year 2012-13.
- Reduce the percentages of the federal earned income tax credit that can be claimed for Wisconsin in line with national averages while still maintaining a focus on reducing child poverty to realize savings of \$41.3 million over the biennium.
- Repeal the indexing provisions of the homestead tax credit to realize savings of \$8.1 million over the biennium.
- Provide businesses with more certainty regarding certain filings under the combined reporting law by repealing the Department of Revenue's ability to overturn combined group elections.
- Exempt from sales and use tax the sale of cooking oils converted into motor vehicle fuels in order to treat this type of fuel like other motor vehicle fuels.
- Exempt from sales and use tax the sale of modular homes built in the state for use in other states.

State Budget Overview

III. STATE BUDGET OVERVIEW

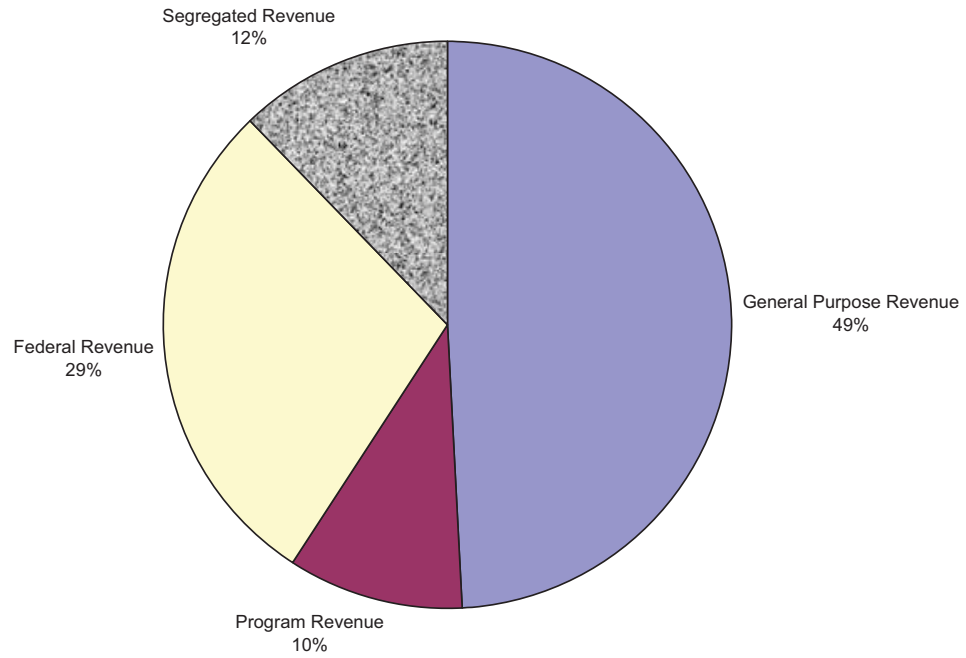
A. PRESENTATION OF THE GOVERNOR'S 2011-13 BUDGET

The Governor's recommended budget for the 2011-13 biennium is presented in its customary components. The operating budget for all agencies and their programs is submitted to the Legislature in the budget bill, the Executive Budget Book and this Budget in Brief. The capital budget will be submitted as a budget amendment, after the State Building Commission has approved a recommended building program for the 2011-13 biennium.

B. EXPENDITURES

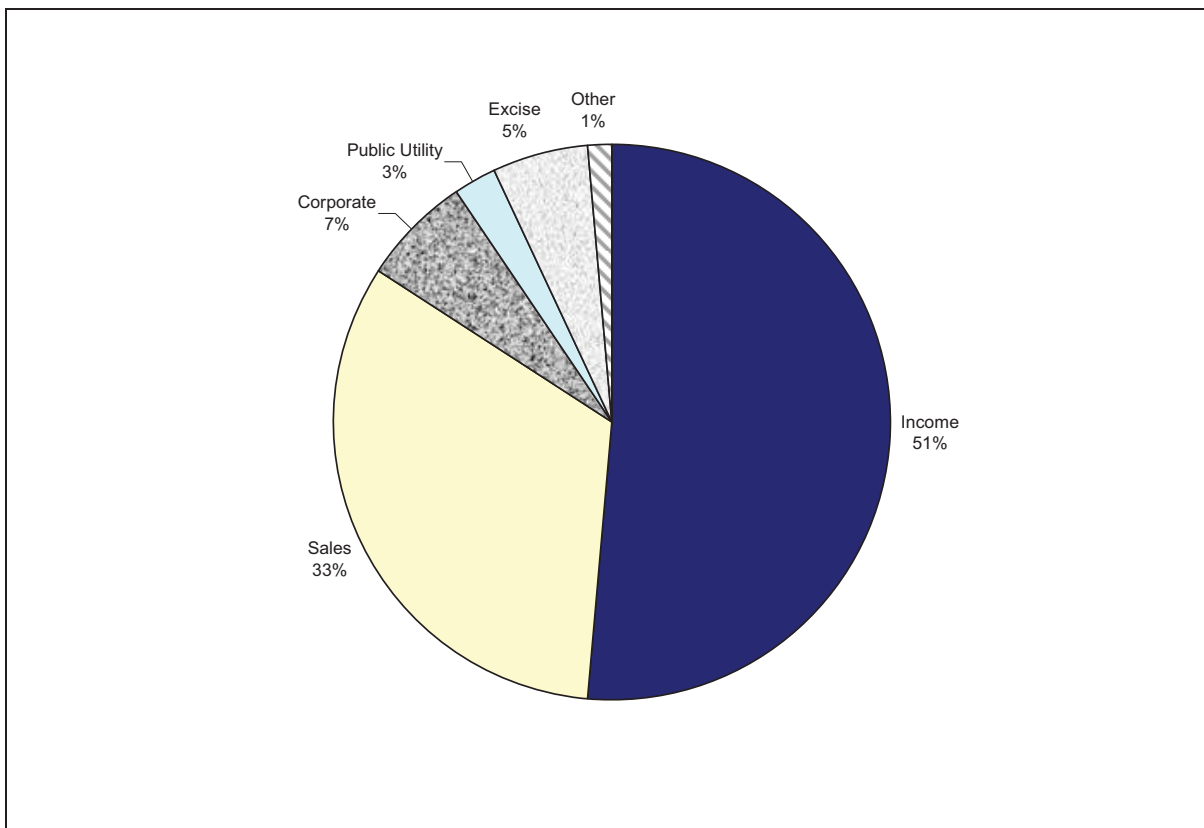
The Governor recommends an operating budget of \$29.261 billion in fiscal year 2011-12 and \$29.984 billion in fiscal year 2012-13. These figures include all four major funding sources and all state agencies and programs (see Chart 2). On an annual basis, the Governor's all funds budget for fiscal year 2011-12 represents a decrease of \$2.486 billion (-7.8 percent) over the fiscal year 2010-11 adjusted base, and the budget for fiscal year 2012-13 represents an increase of \$723.6 million (2.5 percent) compared with fiscal year 2011-12. Much of the fiscal year 2011-12 decrease is related to increased government employee contributions to their retirement plans and health insurance, as well as removing certain non-GPR appropriations from the budget related to the creation of the University of Wisconsin-Madison as a separate entity.

CHART 2: FISCAL YEAR 2012-13 BUDGET BY FUND SOURCE



The largest portion of the state budget is funded from general purpose revenue (GPR), which includes the individual income tax, the state sales tax, the corporate income tax and various other taxes (see Chart 3).

CHART 3: FISCAL YEAR 2012-13 GPR TAX REVENUE BY TYPE



Federal revenues (PR-F or SEG-F) are the second largest source of funds in the state budget. The amounts budgeted represent state agency estimates of the various federal program grants expected to be received. Corresponding state matching dollars, where applicable, are budgeted in the other state funding sources. Since it is not possible to predict future congressional budget action, the Governor's budget generally assumes no changes in federal funding except where noted.

Program revenue (PR-O) is received from user fees that finance specific activities such as public utility regulation, agricultural commodity inspections and State Fair Park admissions. Program revenue is generally budgeted to reflect the anticipated demand for these activities.

Segregated revenues (SEG-O) include revenues from such sources as the motor fuel tax, hunting and fishing license fees, and lottery ticket sales. These revenues are deposited in segregated funds such as the transportation fund, the conservation fund and the lottery fund, which are credited with any interest they earn. Segregated revenues can only be used for specific purposes and are not general revenues of the state, but segregated revenue fund balances have historically been lapsed to the general fund. The Governor's budget puts a halt to this practice and starts the process of paying back the largest of the segregated funds, the transportation fund, by depositing a portion of automobile-related sales tax revenue to the fund, beginning in fiscal year 2012-13. The amount of these sales tax revenues deposited to the transportation fund will increase annually by 5 percent annually until 50 percent of the tax revenues related to these sales is deposited in the fund.

The Governor recommends a GPR budget of \$13.987 billion in fiscal year 2011-12 and \$14.727 billion in fiscal year 2012-13. On an annual basis, the Governor's GPR budget for fiscal year 2011-12 is a spending decrease of \$178.2 million (-1.3 percent) over the fiscal year 2010-11 base, and for fiscal year 2012-13 is a spending increase of \$740.1 million (5.3 percent) over fiscal year 2011-12.

TABLE 2: LARGEST BIENNIAL GPR INCREASES OVER BASE
(\$ in millions)

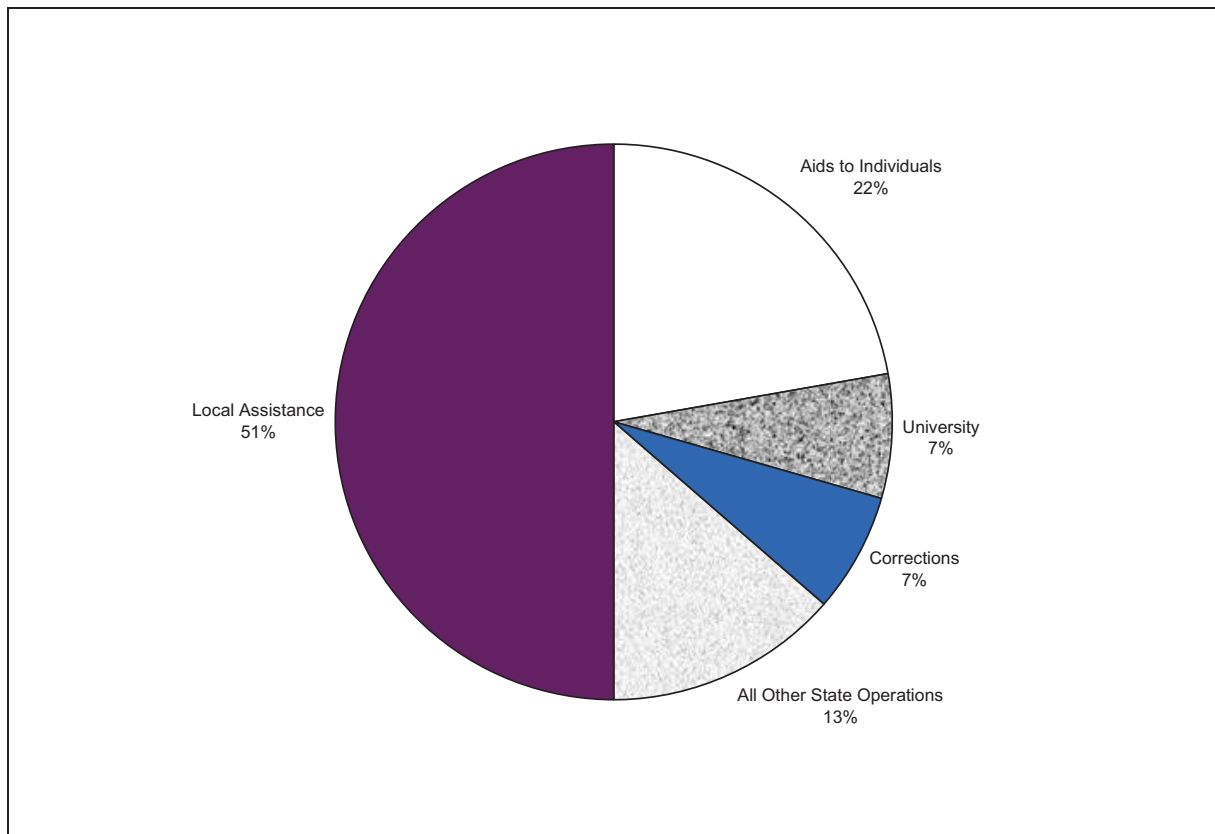
Department of Health Services	\$996
Department of Children and Families	308
Appropriation Obligation Bond Debt Service	259
Income and Property Tax Relief	109
Transit Aids	106
Illinois Tax Reciprocity Reestimates	34
All Other Changes	<u>-1,428</u>
TOTAL	\$384

Note: \$293 million biennially is transferred from the Department of Health Services to the Department of Children and Families related to the supplemental security income program. The increase in appropriation bond debt service is required by bond agreements and is offset by a lapse included in the general fund condition statement.

TABLE 3: TEN LARGEST GENERAL PURPOSE REVENUE PROGRAMS
(\$ in millions)

	<u>FY13 Budgeted</u>	<u>Percent of Total</u>	<u>Cumulative Percent</u>
General and Categorical School Aids	\$5,087.2	34.5%	34.5%
Medical Assistance and Related Programs	2,001.1	13.6%	48.1%
Corrections	972.5	6.6%	54.7%
University of Wisconsin System and Madison	895.7	6.1%	60.8%
State Property Tax Credits	882.6	6.0%	66.8%
Shared Revenue	882.1	6.0%	72.8%
Homestead, Earned Income and Other Tax Credits	348.3	2.4%	75.2%
Community and Social Service Aids	274.8	1.9%	77.0%
Wisconsin Works and Economic Support	159.9	1.1%	78.1%
Supplemental Security Income Program, State Supplement	<u>146.7</u>	<u>1.0%</u>	<u>79.1%</u>
Top Ten Program Total	\$11,650.9	79.1%	79.1%
Debt Service	682.8	4.6%	83.7%
Debt Service for Appropriation Obligation Bonds	627.2	4.3%	88.0%
All Other Programs	<u>1,766.5</u>	12.0%	100.0%
GPR Total	\$14,727.4		

CHART 4: FISCAL YEAR 2012-13 BUDGET ALLOCATION BY PURPOSE



C. POSITIONS

The Governor's budget recommendations include authorization for 49,784 FTE state positions from all fund sources by the end of the next biennium (fiscal year 2012-13). This represents a decrease of 21,325 positions from the fiscal year 2010-11 adjusted base of 71,109. From GPR funds the budget provides 28,664 FTE positions, a decrease of 7,097 (19.85 percent) from the fiscal year 2010-11 adjusted base of 35,762.

Table 4 demonstrates the reductions from the adjusted base level FTE positions to the second year of the biennium (fiscal year 2012-13).

TABLE 4: FISCAL YEAR 2012-13 FTE POSITION CHANGES OVER BASE

	<u>GPR</u>	<u>FED</u>	<u>PR</u>	<u>SEG</u>	<u>All Funds</u>
Adjusted Base	35,761.66	10,330.09	19,843.38	5,173.48	71,108.61
Agency Requests	788.12	-302.46	59.34	-37.59	507.41
Governor's Recommendation	<u>-7,885.34</u>	<u>-4,640.49</u>	<u>-9,025.47</u>	<u>-280.53</u>	<u>-21,831.83</u>
TOTAL	28,664.44	5,387.14	10,877.25	4,855.36	49,784.19

There are several initiatives included in the budget to reduce the number of FTE positions and support the Governor's goal of a more streamlined and efficient state government. The elimination of vacant positions reduces state positions by 735 FTE positions. These positions have been vacant for at least 12 months and some as long as 16 years.

Declining juvenile institution populations allows the Department of Corrections to consolidate facilities. This helps control the rate charged to counties to place a juvenile in an institution. Both Ethan Allen School for Boys and Southern Oaks Girls School will close, and all juveniles will be located at an institution in Irma, Wisconsin (Lincoln Hills School for the boys and Copper Lake School for the girls). As a result of the institution closures, as well as lower populations in other types of juvenile care, 269 FTE positions are eliminated in each year.

The Department of Health Services will realize over \$5 million in GPR savings per year by closing units at the Wisconsin Resource Center and relocating sexually violent persons to vacant units at the Sand Ridge Secure Treatment Facility. This will also decrease the number of state employees by 59.25 FTE positions.

Finally, eliminating the Department of Commerce and University of Wisconsin Hospital and Clinics Board, reduces FTE positions by 2,745. The largest reduction results from the creation of the University of Wisconsin-Madison Authority, a reduction of 17,418 FTE positions. As of January 1, 2011, the number of vacancies at University of Wisconsin-Madison was 494.6 FTE positions. As a result of creating the University of Wisconsin-Madison Authority, these vacancies will be eliminated along with all other state positions.

By eliminating long-term vacant positions in state government, eliminating vacancies associated with creating the University of Wisconsin-Madison Authority, closing facilities and units, and reducing other programs, the budget eliminates 1,656.33 FTE positions. Furthermore, the overall state position complement is reduced by shifting state positions associated with the University of Wisconsin Hospitals and Clinics Board to the University of Wisconsin Hospitals and Clinics Authority, creating the University of Wisconsin-Madison Authority and the Wisconsin Economic Development Corporation, and shifting housing functions from the Department of Commerce to the Wisconsin Housing and Economic Development Authority. While the primary goal of these initiatives is not to reduce the number of state FTE positions, these changes will allow the state to focus on its core functions.

These reductions are summarized in Table 5 below.

TABLE 5: FISCAL YEAR 2012-13 FTE POSITION DECREASES

	<u>FTE</u>
Creation of University of Wisconsin-Madison Authority	-17,418.29
Elimination of University of Wisconsin Hospital and Clinics Board	-2,609.38
Elimination of Vacant Positions	-735.12
Closure of Juvenile Facilities at the Department of Corrections	-269.00
Elimination of the Department of Commerce	-135.60
Closure of Unit at Wisconsin Resource Center	-59.25
Other FTE Position Reductions	<u>-98.36</u>
TOTAL	-21,325.00

Finally, the Governor has directed the Department of Administration to continue to review all agency requests to fill vacant positions. This ensures that only positions critical to state operations and public

safety are filled. This review has resulted in a current vacancy rate of 10.9 percent. Many of these vacancies will be eliminated in the Governor's budget. The budget includes a provision which allows the secretary of the Department of Administration to eliminate any future vacant positions in order to achieve additional efficiencies in state government.

D. BUDGET BALANCE

**TABLE 6: GENERAL FUND CONDITION UNDER GOVERNOR'S BUDGET AND FISCAL
YEAR 2010-11 BUDGET ADJUSTMENT LEGISLATION**
(\$ in millions)

	2011-13 Governor's Budget			2013-15 Estimates	
	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	<u>FY15</u>
OPENING BALANCE, JULY 1	\$25.7	\$65.1	\$99.0	\$107.3	-\$21.3
REVENUES AND TRANSFERS					
Taxes	12,691.4	13,139.0	13,597.1	13,575.7	13,554.2
Departmental Revenues					
Tribal Gaming Revenues	22.3	25.7	26.9	26.9	26.9
Other	<u>782.6</u>	<u>596.2</u>	<u>607.2</u>	<u>605.2</u>	<u>605.2</u>
Total Available	\$13,522.1	\$13,826.1	\$14,330.2	\$14,315.2	\$14,164.9
APPROPRIATIONS, TRANSFERS AND RESERVES					
Gross Appropriations	\$14,157.7	\$13,987.4	\$14,727.5	\$14,783.2	\$14,783.2
Compensation Reserves	96.0	26.8	77.9	77.9	77.9
Legal Settlements Reserve	0.0	25.0	25.0	25.0	25.0
Less Biennial Appropriation Spend Ahead	-242.7	0.0	0.0	0.0	0.0
Less Estimated Lapses	<u>-554.0</u>	<u>-312.2</u>	<u>-607.5</u>	<u>-549.6</u>	<u>-549.6</u>
Total Expenditures	\$13,457.0	\$13,727.1	\$14,222.9	\$14,336.5	\$14,336.5
BALANCES					
Gross Balance	\$65.1	\$99.0	\$107.3	-\$21.3	-\$171.6
Less Required Statutory Balance	<u>-65.0</u>	<u>-65.0</u>	<u>-65.0</u>	<u>-65.0</u>	<u>-65.0</u>
Net Balance, June 30	\$0.1	\$34.0	\$42.3	-\$86.3	-\$236.6
Structural Balance	\$39.4	\$33.9	\$8.3	-\$128.8	-\$150.3

Detail may not add due to rounding.

The estimated four-year fund condition statement is balanced through fiscal year 2012-13. The estimates for the 2013-15 biennium do not assume any projected growth in revenues or expenditures. However, prospective tax cuts and commitments to additional expenditures made in this biennium for the next are addressed in the estimates for fiscal years 2013-14 and 2014-15.

**TABLE 7: ESTIMATED GENERAL FUND CONDITION SUMMARY ACCORDING TO
GENERALLY ACCEPTED ACCOUNTING PRINCIPLES**
(\$ in millions)

	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>
Opening Balance	-\$2,943.3	-\$2,965.8	-\$2,990.5
Revenue			
Estimated Taxes	\$12,691.4	\$13,139.0	\$13,597.1
Departmental Revenues and Transfers	782.6	596.2	607.2
Tribal Gaming Revenue	<u>22.3</u>	<u>25.7</u>	<u>26.9</u>
Total Revenue	\$13,496.3	\$13,760.9	\$14,231.2
Total Available	\$10,553.0	\$10,795.1	\$11,240.7
Less Total Appropriations (Net)	<u>13,457.0</u>	<u>13,727.1</u>	<u>14,222.9</u>
Balance Before Change in Adjustments to GAAP	-\$2,904.0	-\$2,932.0	-\$2,982.2
Net Contribution to Balance Adjustments in GAAP (change from prior year)			
Transit Aids			-26.6
County and Municipal Aids	11.1	1.1	52.8
Accrue/Defer Tax Revenues	<u>-72.9</u>	<u>-59.6</u>	<u>-68.5</u>
Estimated Closing Balance	-\$2,965.8	-\$2,990.5	-\$3,024.5

E. DEBT MANAGEMENT

State debt management is necessary to ensure that long-term capital needs can be met at an affordable level. State debt management historically has maintained GPR debt service at approximately 4 percent, or below, of GPR. This standard is consistent with sound debt management to ensure that debt service does not consume an increasing share of the state's budget. This policy provides a yardstick against which requests for new bonding authority are considered. Of necessity this standard will be exceeded during the next biennium; however, a more stringent use of debt provided in this budget will result in that ratio declining in the future.

Net debt service for General Fund Annual Appropriation Bonds (both the Pension and Sick Leave Conversion Benefits issue, as well as the Tobacco Repurchase issue) will continue at the same amounts originally planned for these bonds. The terms of the Pension and Sick Leave Conversion Benefits borrowing include variable rate index notes with a maximum annual interest rate of 35 percent (hedged by interest exchange agreements) that require appropriations at the 35 percent assumption. This high appropriation amount is offset by a lapse assumption that will reflect the actual hedged interest costs of approximately 5.35 percent. For fiscal year 2011-12 the combined appropriation amount will be \$367.2 million, offset by a lapse of \$145.6 million, for a net of \$221.6 million. For fiscal year 2012-13 the combined appropriation amount will be \$627.2 million, offset by a lapse of \$396.6 million, for a net of \$230.5 million.

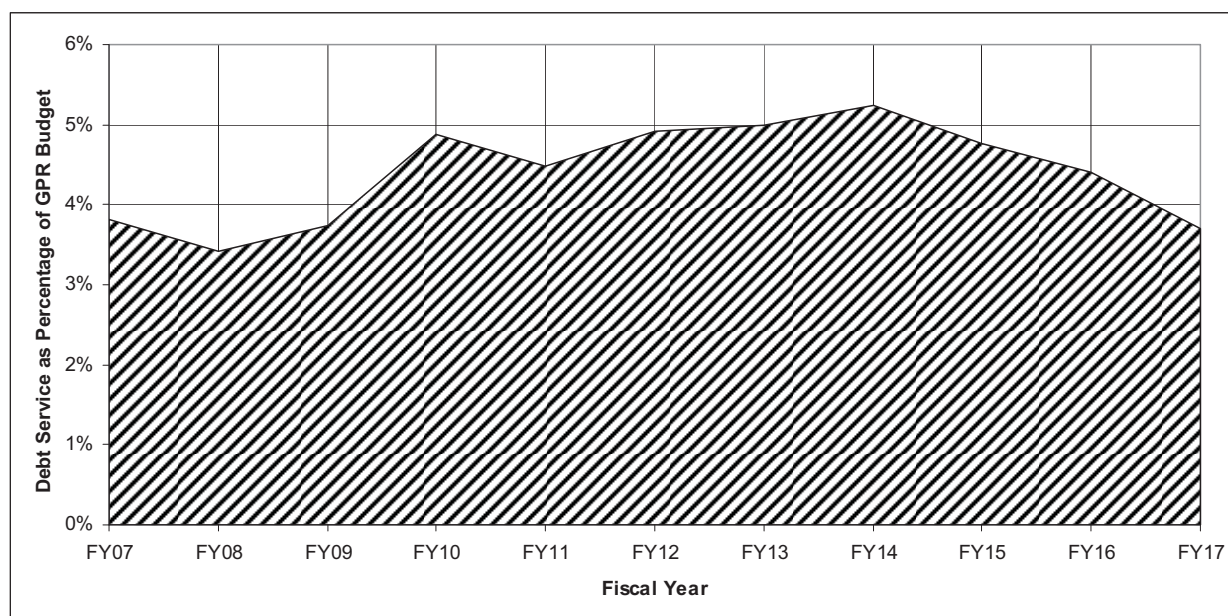
The debt management policies and projected results reflected in this budget are based on three important assumptions.

First, specific bonding recommendations for the building program will be included in the capital budget bill which will be submitted later.

Second, previously authorized but unissued debt will push debt service costs higher for the biennium, but this will be offset in large part by reamortization of a portion of commercial paper previously scheduled to be retired during the biennium. Commercial paper scheduled for retirement in the first year of the biennium is being reamortized or refunded to future fiscal years. The savings will be approximately \$104.8 million in fiscal year 2011-12. Additionally the budget calls for restructuring \$333.6 million of fixed rate debt during fiscal year 2011-12, for additional budgetary relief. Currently authorized but unissued general obligation bonding authority for GPR-supported programs amounts to \$2.1 billion. This authorized unissued bond authority breaks down to \$1,182 million for environmental and water programs and \$959 million for building and other programs. Both of these general categories include large amounts of bonds that are multiyear authorizations that require issuance of the bonds over several years. The absolute cost of new debt service during the past two years has been significantly ameliorated by historic low interest rates, particularly in the shorter end of the yield curve. Interest rates have increased sharply for longer borrowings, as well as for lower bond rating levels.

Third, the state's market access and bond ratings will not deteriorate. As a result of recalibrations of municipal bond ratings to provide comparability to corporate bond ratings, Wisconsin's general obligation bonds carry ratings of AA/Aa2/AA from Fitch, Moody's and Standard & Poors respectively. All three ratings are considered "stable." Wisconsin's bonds are still received favorably by the investment community, but like most issuers, are being given much closer scrutiny. Maintaining and improving the state's bond rating is most directly related to improving the state's long-term fiscal outlook.

**CHART 5: ACTUAL (FY07-FY10) AND PROJECTED (FY11-FY17)
GPR-SUPPORTED GO DEBT SERVICE**



F. CASH MANAGEMENT

While the 2011-13 budget is balanced as required by state law, cash shortfalls will occur at various times during the year. They arise from the difference between the "statutory/budgetary basis" on which the budget is built and the "cash basis" on which the state must pay its bills. There are significant differences in the timing of receipts and payments, particular on dates of major state aid payments.

These cash shortfalls are accommodated through short-term borrowing. Most often, this borrowing occurs automatically by using the balances of other state funds. In many years operating notes have been issued if there is a significant need for cash or if the operating notes are cheaper than using the cash of other state funds. The 2011-13 budget assumes the state will issue \$800 million in operating notes in each year.

In response to changes in the state's cash structure due to the creation of the University of Wisconsin-Madison authority and the treatment of its non-GPR revenue, the budget increases the general fund 30 day interfund borrowing limit from 3 percent to 6 percent of general fund appropriations.

Major Budget Initiatives

IV. MAJOR BUDGET INITIATIVES

A. EDUCATION, WORKFORCE AND LOCAL GOVERNMENT

School District and Local Government Compensation Costs

The major cost category for school districts and local governments is employee compensation. Costs for health insurance and pensions, in particular, are growing much faster than employee salaries. This has put considerable pressure on local property taxes and the direct and categorical aid provided from the state.

Since over one-half of the state's general fund budget is provided to school districts and local governments, balancing the state budget requires matching the cost of all programs with ability to pay. In order to achieve the necessary savings without compromising school district and local government jobs and services, the Governor is proposing that employee contributions toward pensions and health care be brought into line with the private sector and government workers in other states. The savings from these measures are estimated to offset the impact of state aid reductions.

CHART 6: SALARY AND FRINGE BENEFITS AS A SHARE OF COUNTY AND MUNICIPAL BUDGETS

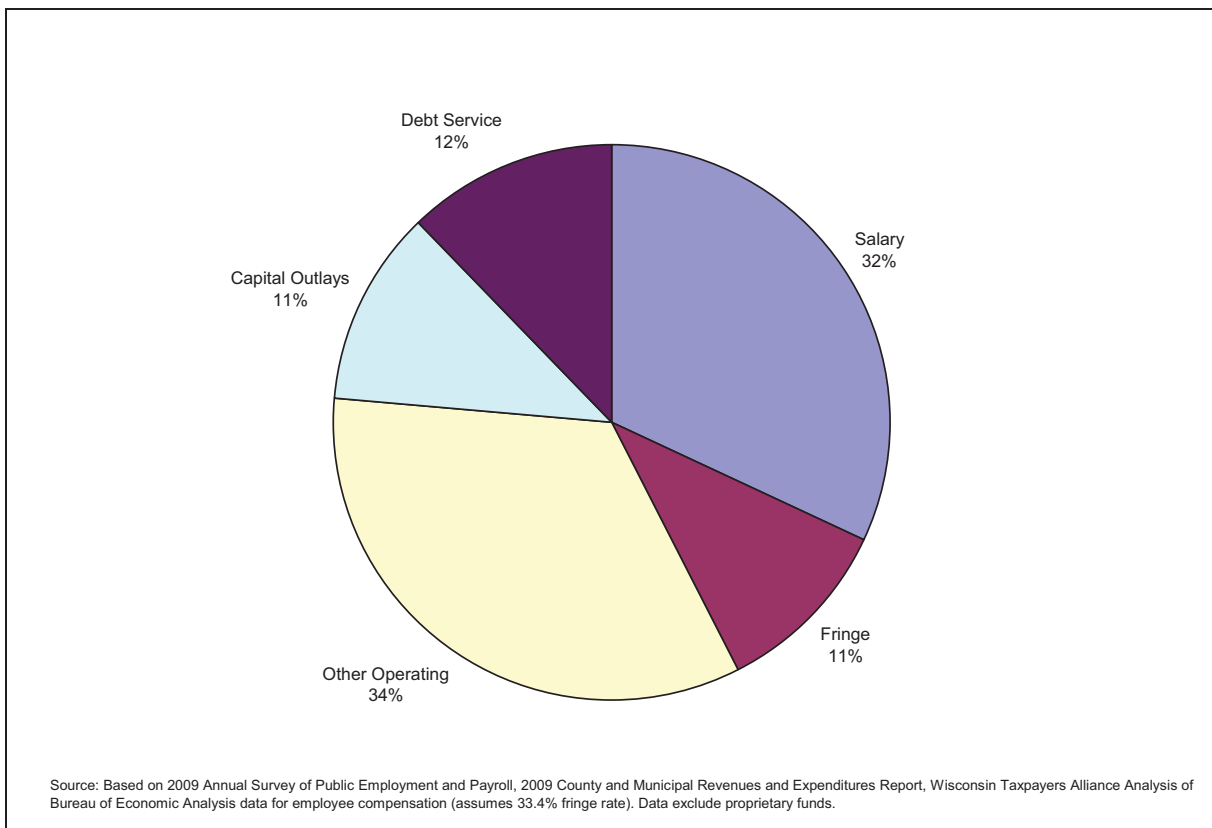
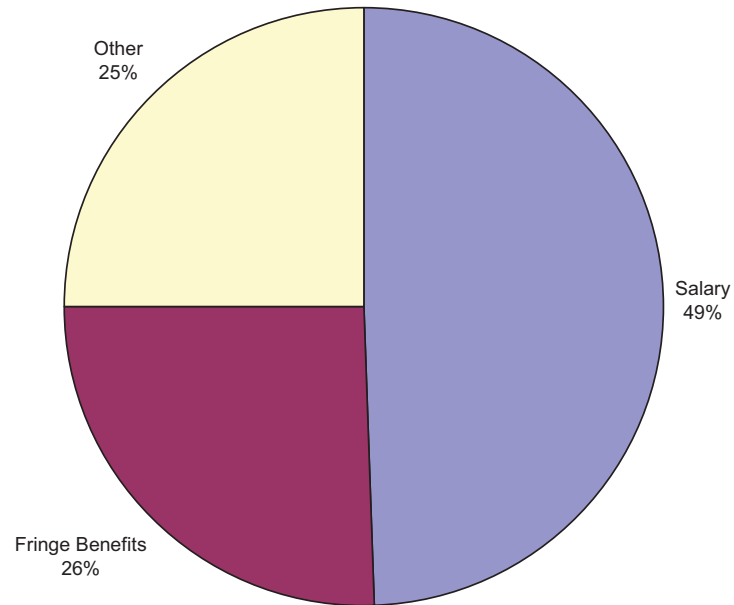


CHART 7: SALARY AND FRINGE BENEFIT COSTS COMPRISE 75 PERCENT OF SCHOOL DISTRICT EXPENDITURES (2008-09 DATA)



**CHART 8: TEACHER FRINGE BENEFIT INCREASES OUTPACE SALARY INCREASES
AND THE CONSUMER PRICE INDEX**

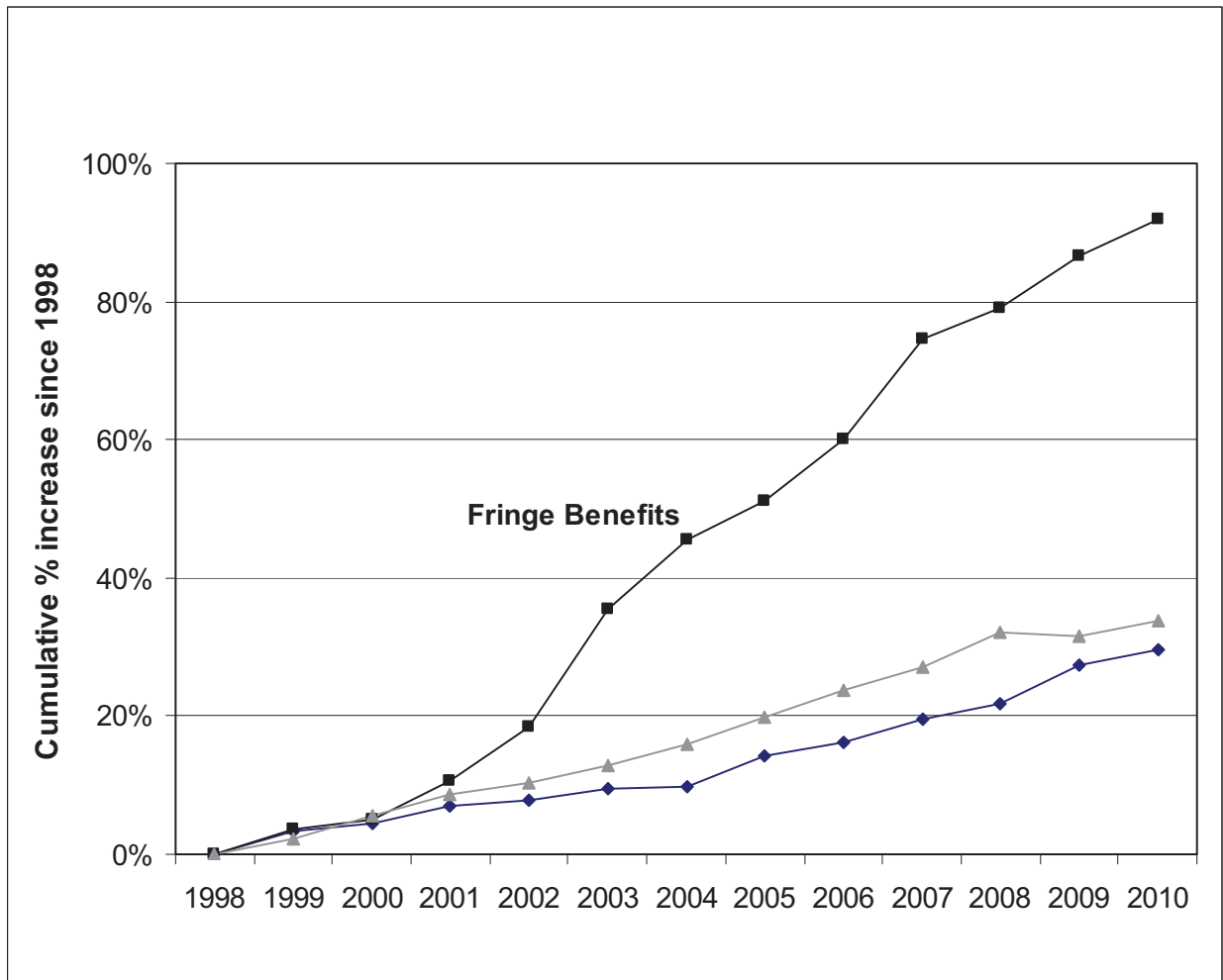


TABLE 8: SAVINGS FROM EMPLOYEE COMPENSATION CHANGES OFFSET AID REDUCTIONS
(\$ in millions)

	School Districts	Municipalities ¹	Counties ¹	Technical Colleges	Special Districts	Totals
Total General Revenues (2009)	10,724.4	5,316.7	4,879.5	1,496.4		
State Aid	5,324.9	1,072.5	424.2	135.2	0.0	6,956.9
Projected Compensation Savings						
WRS Contributions (at 5.8%)	283.7	55.6	37.1	33.8	9.0	419.2
Health Insurance Contributions (at 4.2%) ³	<u>205.2</u>	<u>42.6</u>	<u>27.2</u>	<u>24.4</u>	<u>6.5</u>	<u>305.9</u>
Total Contribution Savings ²	488.9	98.3	64.3	58.2	15.5	725.1
Aid Cuts	438.4	98.9	63.8	35.8	0.0	636.9
Savings Less Aid Reductions	50.5	-0.7	0.5	22.4	15.5	88.2
Reductions as a Percentage of State Aid	8.2%	9.2%	15.0%	26.5%	N/A	9.2%

¹County and Municipal State Aid reflects the county and municipal aid account, youth aids, payments for municipal services, general transportation aids and transit aids.

²Savings estimates for counties and municipalities adjust for excluding police officers and fire fighters as well as assumptions regarding utility and other municipal enterprise employees. Counties' realizable savings are adjusted for program areas not typically funded by Shared Revenues or their equivalents. Actual amounts may vary.

³4.2% of salary assumption is based on 12% of premiums plus accompanying plan design changes that are worth an equivalent of 4.2% of salary.

Elementary and Secondary Education

The Governor's educational agenda focuses on five key areas: the fundamentals of learning, reforming failing schools, recruiting and retaining great teachers, expanding choices for parents, and finding efficiencies. His 2011-13 biennial budget proposals for elementary and secondary education take important steps toward implementing this agenda.

First and foremost, the Governor's education package must address the overall state budget shortfall. Years of maintaining and trying to maintain two-thirds state funding can no longer be sustained unless business-killing tax increases are enacted. Therefore, reductions to school aids need to be part of the solution to balancing the budget.

The Governor also recognizes that, under current law, revenue limits will allow school districts to increase spending per pupil by \$275 per student each year in the next biennium from the combination of general aid and property taxes. As a result, school boards could offset state aid reductions with property tax increases. To prevent significant property tax increases, state aid reductions must be matched by comparable decreases in revenue limit authority.

Without providing districts with tools to control spending, reduced revenue limit authority would result in the potential layoffs of thousands of school district employees. Governor Walker recognizes the need to balance state aid reductions with cost savings. School districts have a significant tool to achieve balance with recent statutory changes authorizing school boards to require school employees to pay a larger share of their retirement and health benefit costs. In addition, the Governor proposes the repeal of several mandates that will provide school boards additional opportunities for greater efficiencies. As a result, school districts will have the means necessary to address school aid and revenue limit reductions

without the need to lay off teachers or other school district staff. To create sustainable financial support for public education, the Governor proposes the following:

- Reduce general equalization aid by \$749.4 million over the biennium to help address the state budget deficit. Annually, the decreases compared to base will be \$390.5 million (8.4 percent) in fiscal year 2011-12 and \$358.9 million in fiscal year 2012-13 (7.7 percent). To prevent major aid reductions to individual school districts, the special adjustment aid hold harmless provision is increased to guarantee school districts 90 percent of their prior year general aid amounts for fiscal year 2011-12. Current law guarantees 85 percent.
- Eliminate the following GPR-funded categorical aid programs, totaling \$29.9 million annually: advanced placement; alternative education; alcohol and other drug abuse prevention and intervention; children-at-risk; English for Southeast Asian children; improving pupil academic achievement; nursing services; preschool to grade 5 programs; science, technology, engineering and mathematics programs; and supplemental aid. With the exception of the grants for improving academic achievement program, which provides aid to the Milwaukee Public Schools district, the remaining programs were all recommended for repeal and repurposing by the Department of Public Instruction in its budget request. The department recognized that these programs are either too small to provide meaningful resources to school districts or have unproven results. While the department proposes to reallocate these funds to create a new competitive grant program to reduce dropouts and improve graduation rates, the goal is not backed up with a proven plan to achieve it. The Governor proposes, instead, to use a portion of the savings to create new initiatives to improve student reading levels and create a state-of-the-art student information system, and the remainder to help address the state budget deficit.
- Freeze per pupil payments for the Milwaukee Parental Choice Program and for independent charter schools at the 2010-11 amounts.

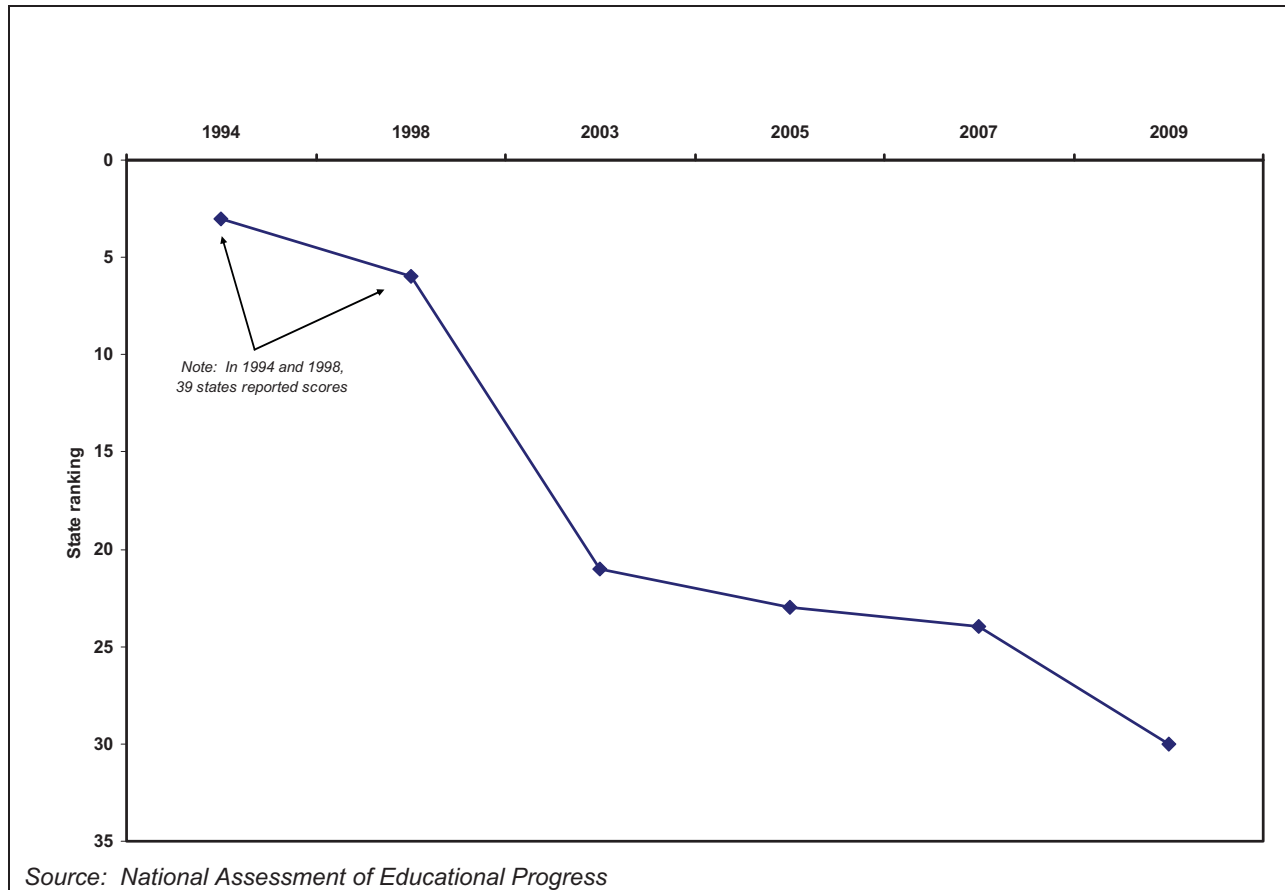
To protect property taxpayers from significant levy increases, the Governor recommends:

- Reducing school district revenue limits per pupil in fiscal years 2011-12 and 2012-13 by 5.5 percent below the amounts authorized in fiscal year 2010-11. While revenue limits will decrease, school boards will have more tools to manage these decreases through increasing school district employees' share of fringe benefit costs and the repeal of some state mandates.
- Repealing state mandates that prevent school districts from: scheduling fewer than 180 school days annually even though they meet current hours of instruction requirements; providing reading instruction without employing reading specialists; employing school nurses who are licensed, but may not have a bachelor's degree; addressing indoor environmental quality without adopting a plan approved by the Department of Public Instruction; providing staff training on administering prescription and nonprescription drugs to students only if the training is approved by the Department of Public Instruction; and exceeding 200 teaching service days for Milwaukee Public Schools.
- Repealing revenue limit exemptions for school nurses, pupil transportation costs, school safety equipment and security officers. These revenue limit exemptions were signed into law as part of the 2009-11 biennial budget, but were not scheduled to go into effect until fiscal year 2011-12. Repealing these exemptions will protect property taxpayers in future years without impacting current school district spending for these activities.

The difficult decisions necessary to balance the state's budget do not preclude taking some important first steps to improve the delivery of educational services to Wisconsin's school-age children. Of greatest importance is to reverse the disturbing downward trend in the reading skills of Wisconsin's elementary school students. Between 1994 and 2009, Wisconsin's national ranking on fourth grade reading has dropped from 3rd (out of 39 states reporting) to 30th (out of 50 states reporting), based on the National Assessment of Educational Progress. Strong reading skills are central to success in virtually all subject areas. A 2010 report from the Annie E. Casey Foundation, *Early Warning! Why Reading by the End of Third Grade Matters*, concluded that "Reading proficiently by the end of third grade (as measured by the

NAEP at the beginning of fourth grade) can be a make-or-break benchmark in a child's educational development."

CHART 9: WISCONSIN RANKING ON FOURTH-GRADE READING IS DECREASING



For Wisconsin to be successful in a knowledge-based economy, which increasingly includes traditionally blue-collar jobs, early literacy is the key. Therefore, it is imperative that we reverse the downward trend in elementary school reading skills. However, before Wisconsin can address declining literacy, we need to implement a testing program that identifies reading difficulties in the early grades so that problems can be addressed before putting a child's future educational success at risk. To that end, the Governor will soon appoint, by Executive Order, a blue ribbon task force to plan a literacy initiative to identify problem readers while pupils are still on the "make" side of the make-or-break benchmark.

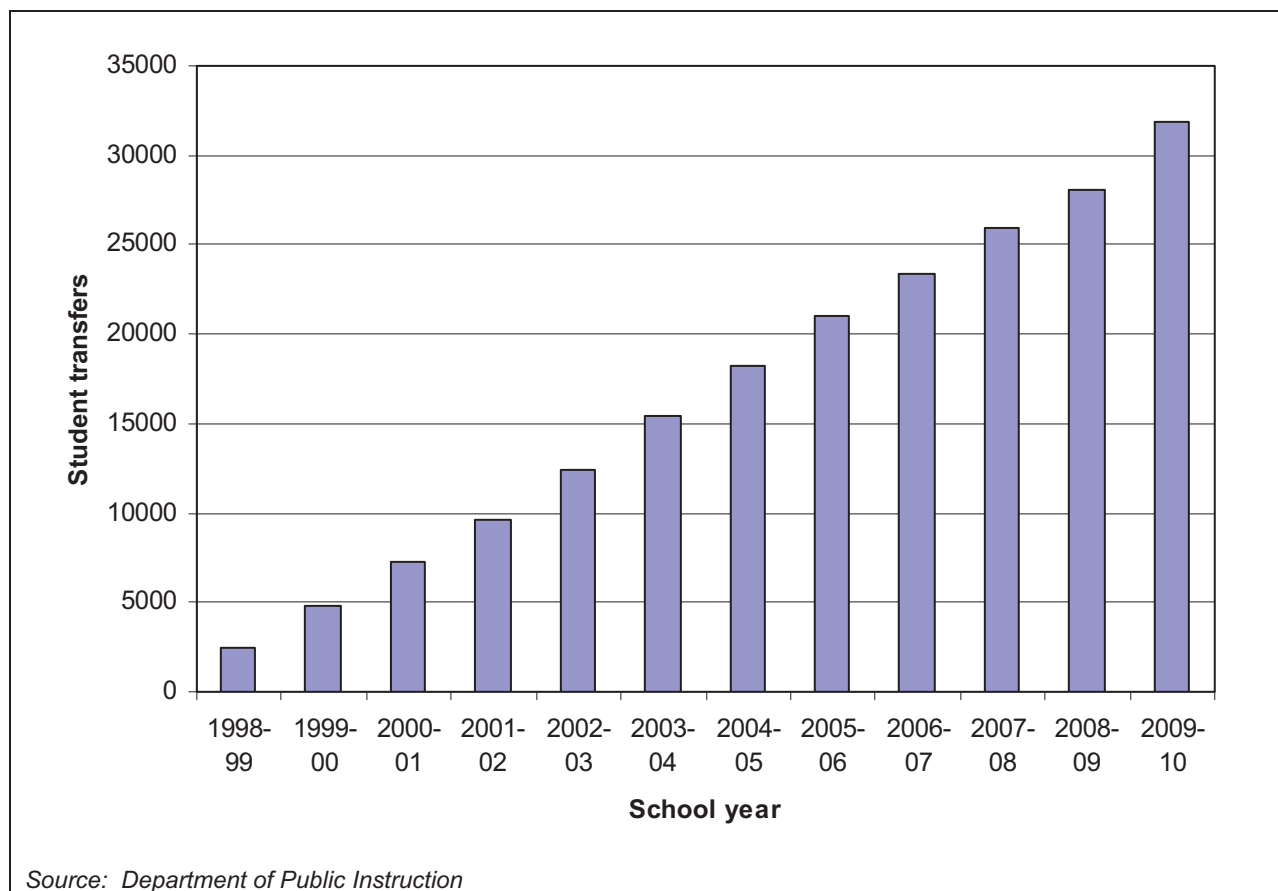
It is also critical that the results of a statewide third grade reading test and other measures of academic performance be integrated into a comprehensive student information system that enables state policymakers and local school districts to accurately track student performance from kindergarten through high school. A student information system will also become the foundation for two of Governor Walker's major educational priorities: to grade and reform failing schools; and to recruit, retain and reward great teachers. In addition, a state-operated, software-based student information system can replace local school-district-based systems, providing even greater ability to manage student data and lower the cost at both the state and school district levels.

To achieve these ends, Governor Walker proposes the following initiatives:

- Provide \$15 million GPR to the Department of Public Instruction over the biennium to create a student information system that will provide longitudinal data to state policymakers, school districts, parents and citizens on the performance of the state's public education system and its students.
- Provide \$600,000 GPR to the Department of Administration in each fiscal year for developing and implementing the recommendations of the task force appointed by Governor Walker related to a third grade reading test.
- Require the State Superintendent to fund the ongoing costs of the student information system by implementing a per pupil charge to school districts using the system. Since school districts will be able to replace existing local systems with the state system, there should be no additional cost, and in many cases actual savings, in switching to the state system.

Another important element of Governor Walker's education plan is to expand choices for parents. Under current law, parents have benefited from several effective, but limited, educational options, including the Milwaukee Parental Choice Program, independent charter schools, virtual charter schools and the state's open enrollment program. Enrollment trends demonstrate that these programs are exceedingly popular educational options for families.

CHART 10: INTERDISTRICT OPEN ENROLLMENT CONTINUES TO GROW IN POPULARITY



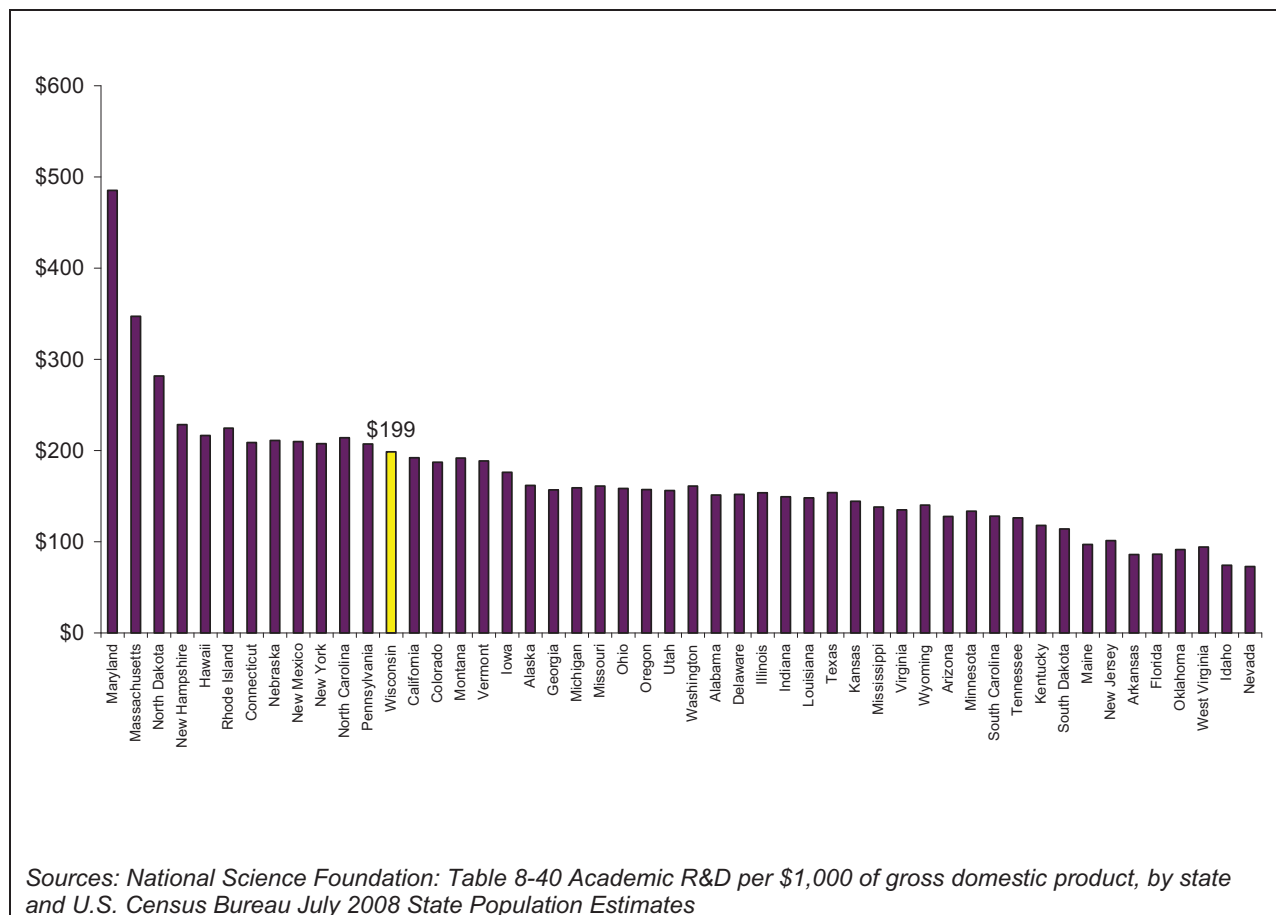
Unfortunately, the state has placed a number of restrictions on these programs that are based more on limiting access and second-guessing the ability of parents to make wise choices than on improving educational quality. It is time to begin eliminating restrictions that have no clear educational benefit and trusting families to make the right choices. Therefore, the Governor recommends the following:

- Eliminate the artificial enrollment caps for both the Milwaukee Parental Choice Program and the virtual charter school program. There is no rationale for limiting the number of students in the choice program to 22,500 and in the virtual charter school program to 5,250. The only rationale is to limit choices for families, and it should be repealed.
- Phase out the income eligibility requirement for the choice program. Beginning in the 2011-12 school year, all students enrolling in choice schools who were not enrolled in a choice school in the 2010-11 school year will be eligible for state support. For those students with family incomes above 325 percent of the federal poverty level as determined at the time of initial application, choice schools will be able to charge students amounts above the state payment, as determined by each participating school. For students below 325 percent, choice schools may not charge students any additional amounts. Phasing in the program will keep the annual cost increases manageable. Eliminating income limits expands family choices and puts the choice schools on a more equal footing with independent charter schools, which are not subject to income eligibility limits as a condition to receive state aid.
- Authorize choice schools to use any nationally-normed test to meet the state's testing requirements. Choice schools must currently use the Wisconsin Knowledge and Concepts Test, which will soon be replaced as part of Wisconsin's participation in the Smarter Balanced Assessment Consortium, a group of 30 states developing a state-of-the-art assessment system for implementation by 2014.
- Allow any school in Milwaukee County to participate in the choice program. While choice enrollment will remain limited to students residing in the City of Milwaukee under the Governor's budget recommendations, expanding the availability of seats will help prevent students from being forced out of the program.
- Provide more transparent information to choice families and schools by placing into statute the current administrative rules regarding indicators that choice schools may not have sound financial practices and requiring the Department of Public Instruction to notify parents prior to the beginning of the school year of any anticipated changes to choice program rules or deadlines.
- Eliminate the geographic limitation on creating independent charter schools and expand chartering entities to include any University of Wisconsin four-year campus. Other than restricting family options, there is no reason to restrict independent charter schools to the City of Milwaukee and one school in the City of Racine.
- Replace the mandate that independent charter school teachers be licensed by the Department of Public Instruction with the requirement that they have at least a bachelor's degree. This change will align teacher requirements for independent charter schools with the existing requirement for choice schools. One of the major goals of having independent charter schools is to spur innovation, not to be carbon copies of public schools. Providing more flexible hiring options will enable charter schools to recruit teachers that have exceptional skills and talents, even if they have not met all the teacher licensing requirements.
- Extend the open enrollment application period from three weeks in February under current law to the first Monday in February through the last weekday in April. The open enrollment program allows parents to enroll their children in other school districts on a space available basis, including virtual charter schools. The current application dates seem more designed to limit participation than to encourage parents to explore options that may better suit their children's needs. Extending the period to the end of April provides ample time for school districts to adjust to enrollment changes in the following school year.

Higher Education

Despite the poorly performing economy, the University of Wisconsin-Madison remained an engine for research and economic development. In 2008, Wisconsin ranked seventh highest nationally for research and development spending per capita. University of Wisconsin-Madison ranked third in the nation for spending on research and development in science and engineering fields in 2009, and surpassed \$1 billion dollars in research grants for the first time in 2010. The Center for World-Class Universities ranked Wisconsin 17th in the world in its 2010 academic rankings.

CHART 11: UNIVERSITY OF WISCONSIN RESEARCH AND DEVELOPMENT PER CAPITA

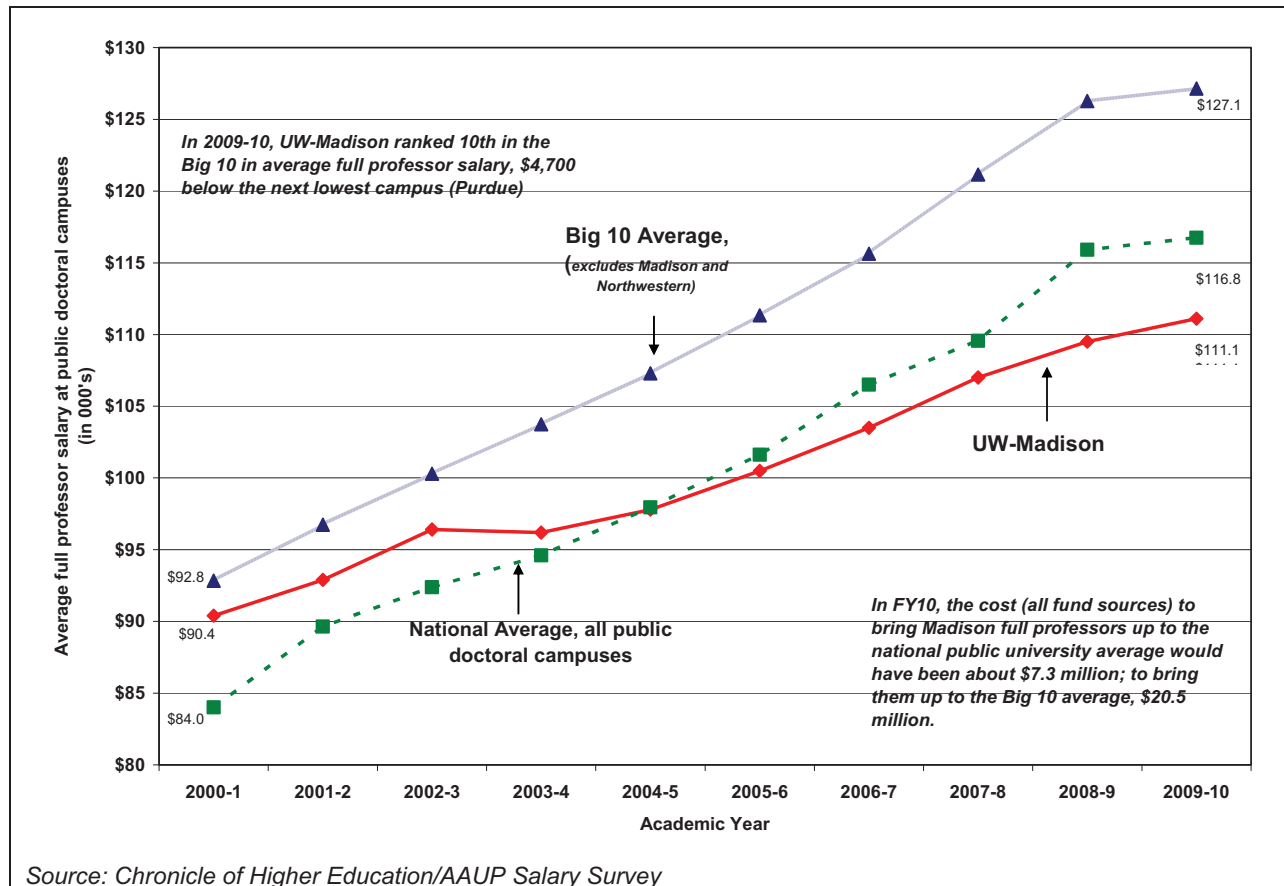


However, for the University of Wisconsin-Madison to remain a world leader in an increasingly competitive higher education marketplace, it will need to have the flexibility to go toe-to-toe with both public and private universities worldwide to attract the outside funding needed to be part of the solution to grow businesses, jobs and the kind of workforce Wisconsin will need in the years ahead. In many ways, successful research universities are collections of entrepreneurs competing in a free market for research funding, top-notch faculty and students. For the University of Wisconsin-Madison to compete effectively, it will need the independence to allow its faculty and staff to operate more businesses.

Under current state law, the University of Wisconsin-Madison is a state agency, subject to regulations, designed more to preserve the status quo than to promote growth and innovation. The university is subject to state control of salary increases, even for faculty who are supported by grant funding, state management of building projects and state limits on tuition. Over one-third of its staff are subject to the

classified civil service system, which slows down the recruitment and hiring process. Full professors at the university are now the lowest paid in the Big 10.

CHART 12: UNIVERSITY OF WISCONSIN-MADISON RANKS LOWER THAN NATIONAL/BIG 10 AVERAGES FOR FULL PROFESSOR SALARY



To maintain the University of Wisconsin-Madison as a competitive university, the Governor recommends the following:

- Effective July 1, 2011, restructure the University Wisconsin-Madison as a public authority separate from the University of Wisconsin System and its remaining 12 campuses. Providing greater independence for the Madison campus will enable it to compete more effectively with other major research universities, both public and private, for high-quality faculty and research funding. In addition, providing more flexibility to access nonstate funding to offset GPR reductions will help the state address its budget shortfall without sacrificing quality.
- Create a 21-member board of trustees to oversee the university, with 11 members appointed by the Governor.
- Transfer all assets, liabilities, including real property, and existing University of Wisconsin-Madison employees to the public authority, but maintain current classified employees as part of the state civil service system until June 30, 2012.

- Provide the University of Wisconsin-Madison with control over setting tuition and employee compensation, but during the 2011-13 biennium require employees to pick up the same share of retirement costs and health insurance benefits as other state employees.
- Provide the University of Wisconsin-Madison with control over bidding and managing construction projects that are built with non-general fund supported borrowing.
- Provide the University of Wisconsin-Madison with control over revenues and interest earnings related to tuition, auxiliaries operations and other revenues earned by the authority through its program revenue-funded operations, but require the university to deposit its net cash balances, except for gift and grant funds, in the local government investment pool.
- Authorize police powers for the University of Wisconsin-Madison as under current law.

The Governor recommends retaining state control and oversight of the University of Wisconsin-Madison in the following major areas:

- Participation of employees in the Wisconsin Retirement System and the Group Insurance Board health plan;
- Building Commission approval of all construction projects over \$500,000;
- Building Commission approval and legislative enumeration of all projects requiring debt financing;
- Public access to records, unless the records relate to ongoing faculty research;
- Participation in the state's risk management program at the University of Wisconsin Madison's request; and
- Access to representation by the Department of Justice.

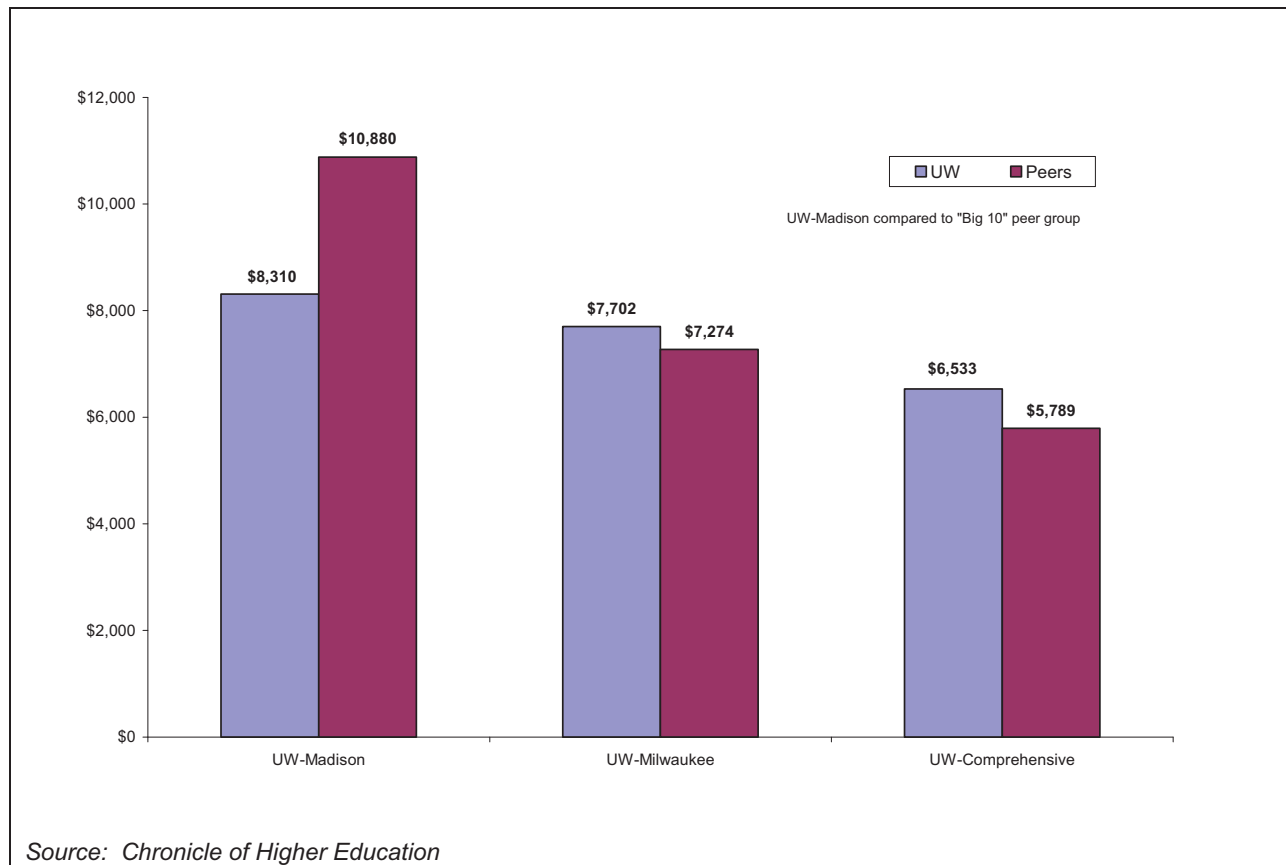
Wisconsin's higher education system continues to create jobs, produce research, attract entrepreneurs and supply a skilled state workforce. The 26 two- and four-year University of Wisconsin System campuses, including the flagship University of Wisconsin-Madison campus, the 16-campus technical college system, and 20 private four-year colleges and universities provide ample opportunities for students and for employers. In 2008, Wisconsin ranked 11th nationally in public bachelor's degrees awarded as a percent of its population. The technical college system remains critical – training highly-skilled graduates and attracting manufacturers to the state.

In many states, higher education institutions have sustained deep cuts, resulting in steep tuition increases due to state budget deficits. Since 2008, declining state revenues have forced 43 states, including Wisconsin, to decrease higher education funding.

Wisconsin's public higher education system must be part of the solution for addressing the state's budget deficit. State funding for higher education is the second largest state expenditure, behind school aids. At the same time, tuition must remain affordable for both recent high school graduates and returning adult students without sacrificing the quality of instruction or capping enrollment. Despite the nationwide economic decline, University of Wisconsin-Milwaukee and University of Wisconsin-Comprehensive median tuition and fees remain near the peer median in 2010.

The University of Wisconsin-Madison earned the *Kiplinger's Personal Finance* "Best Value" 9th place ranking among public universities. Compared to the Big 10 Conference, the University of Wisconsin-Madison's in-state tuition and fees ranked 9th lowest in 2009-10 and 2010-11, above only the University of Iowa and \$1,322 below the Big 10 median.

CHART 13: MEDIAN RESIDENT UNDERGRADUATE TUITION AND FEES 2009-10



To address the state's budget deficit and maintain an affordable and competitive higher education system, the Governor recommends the following:

- Reduce state aid by \$250 million over the biennium to University of Wisconsin System institutions and University of Wisconsin-Madison to help address the state budget deficit. The reduction would be split equally between the University of Wisconsin-Madison and the University of Wisconsin System campuses.
- Promote administrative efficiency and reduce the impact of the state aid reduction on University of Wisconsin System campuses by requiring system administration to absorb a greater share of the cut. Twenty-five percent of the system's general program operations will be reduced compared to 11 percent reductions for comprehensive, two-year centers and the University of Wisconsin-Extension.
- Provide for modest annual tuition increases at University of Wisconsin System institutions to keep resident undergraduate tuition affordable without sacrificing quality.
- Expand the Wisconsin GI tuition and fee reimbursement to provide full remission of academic fees for 128 credits or eight semesters, whichever is longer, without regard to the number of credits the veteran students received under federal veterans program.
- To help working families maintain access to affordable higher education, exempt state-funded financial aid programs from reductions.

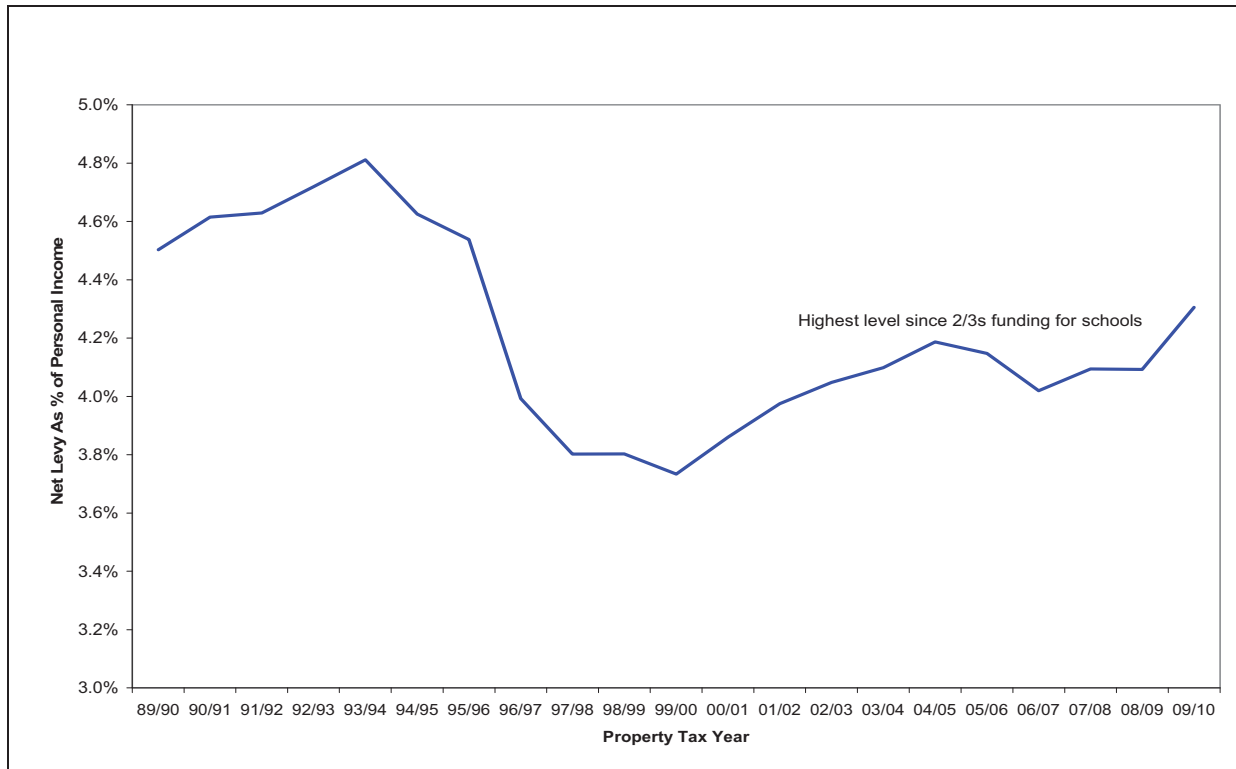
- Protect student financial aid programs by limiting the Wisconsin Covenant Scholars program to students who have signed the pledge before September 30, 2011. The program will admit no additional students after that date, but will provide a full four years of covenant scholar grants to those students who satisfy the eligibility requirements.
- Reduce state aid by \$71.6 million (30 percent annually) over the biennium to technical college districts to help address the state budget deficit. While the reduction appears disproportionately large, it represents only 2 percent of technical college revenues. In addition, campus savings from increased employee contributions to retirement and health care benefits should more than offset the reductions.
- To avoid state aid reductions being offset with property tax increases, prohibit technical college districts from increasing property taxes above the amounts levied in fiscal year 2010-11, or 1.5 mills, whichever is less.

The Governor also recommends eliminating nonresident tuition and fee exemptions for undocumented persons at University of Wisconsin System campuses, the University of Wisconsin-Madison and technical college campuses. Resident tuition, which is subsidized by Wisconsin taxpayers, should only be available to Wisconsin residents who are in the United States legally.

Property Tax Relief and Local Government

In challenging economic times, Wisconsin property taxpayers continue to have among the highest property tax burdens in the country. According to U.S. Census data, Wisconsin ranked ninth among the 50 states in property tax burden as a proportion of personal income in 2008 and has been in the top ten states most of the past three decades. In 2010, property taxes as a percentage of personal income rose to their highest level since 1996 as levy growth exceeded the growth in personal income.

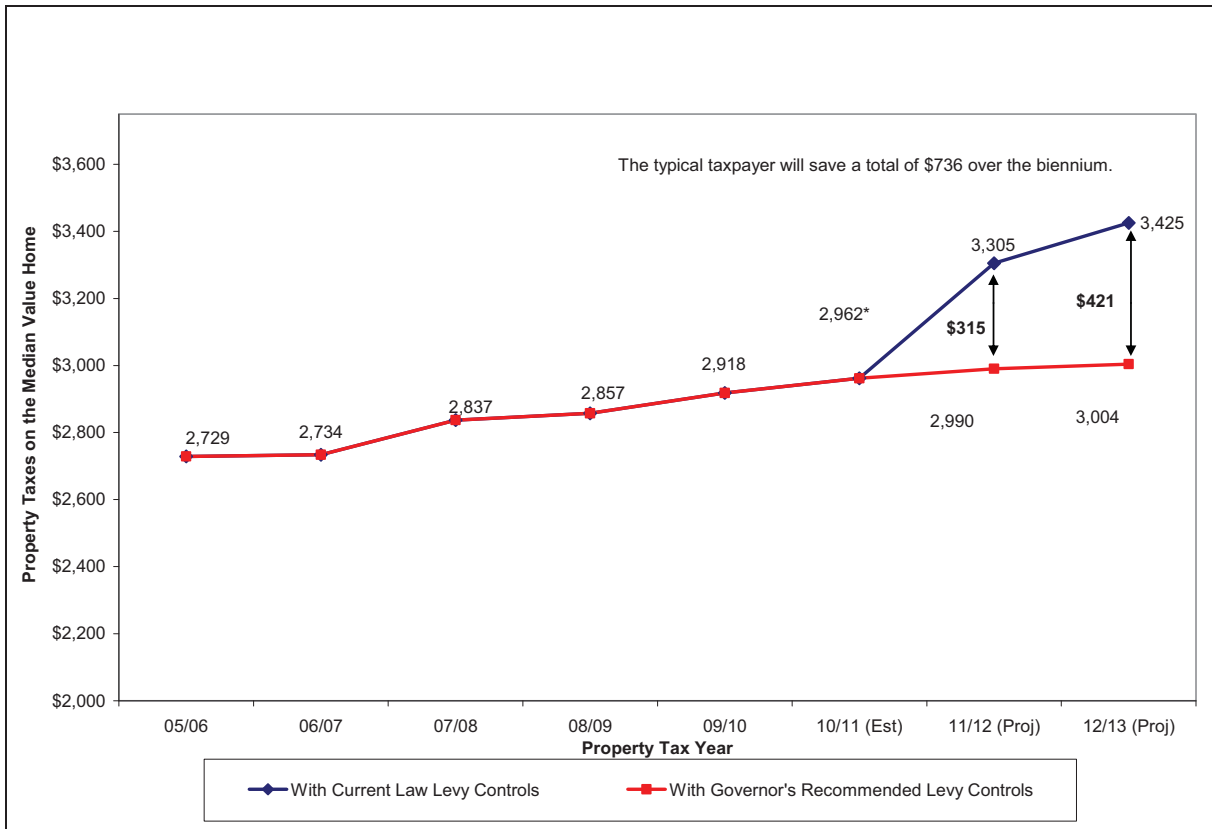
**CHART 14: PROPERTY TAXES HAVE RISEN AS A SHARE OF PERSONAL INCOME
IN THE PAST 10 YEARS**



Despite the significant budget challenges facing the state, the Governor recommends maintaining nearly \$900 million in general fund support for direct property tax credits, including funding a \$5 million annual increase in the first dollar credit enacted in the previous biennium. The Governor also recommends restraining the growth in property tax levies by extending county and municipal levy limits for the next two years and limiting the growth in levies to the greater of 0 percent or the change in equalized value due to net new construction. To further protect property taxpayers, the Governor recommends limiting the base allowable levy to the actual prior year levy. Additionally, if debt service would be lower in the budgeted year than in the prior year, counties and municipalities must pass those savings on to the taxpayers by reducing allowable levies accordingly.

In the context of local government aid reductions for schools, technical colleges, counties and municipalities, strong levy controls are important to avoid aid reductions from becoming tax increases for property owners and renters. Under current law, levies could be increased to offset the amount of the aid reductions, placing a significantly larger burden on property taxpayers.

CHART 15: WITHOUT LEVY CONTROLS, PROPERTY TAX BILLS WILL INCREASE DRASTICALLY



Due to state budget constraints, current funding of county and municipal aid cannot be maintained. The Governor recommends reducing county and municipal aid payments by \$96 million in calendar year 2012, with reductions to municipalities of \$59.5 million and reductions to counties of \$36.5 million. Recognizing that aid reductions may put a strain on local government budgets, the Governor, in his budget repair bill, has recommended providing the necessary flexibility to local governments to meet these reductions without a significant degradation of essential public services.

To provide assistance to local governments in meeting the constraints of diminished resources, county and municipal aid reductions would be allocated in a targeted manner so that low population and low value communities that will not be able to realize significant labor cost savings will see modest aid reductions. Due to larger full-time labor forces in more populous municipalities, measures to reduce labor cost pressures for those governments will yield greater savings, so those governments are generally better able to manage reductions in state aid. Low population, low value municipalities that rely heavily on county and municipal aid due to limited tax bases generally will see smaller savings from higher employee contributions to pensions and health insurance. To address these mismatches, the allocation of county and municipal aid reductions has been structured with aid reduction maximums based on valuation that rise with the population of municipalities to match the general tendency of compensation savings to be concentrated in larger municipalities. While individual municipalities will have varying abilities to meet these state aid adjustments, the allocation of aid reductions has been designed to align with the ability of local governments to absorb the reductions.

General transportation aids for counties and municipalities have been reduced by 10 percent for calendar year 2012 and will remain flat through calendar year 2013. The reductions in general transportation aids for municipalities are also targeted to lessen the impact for less populous communities. This was done by lowering the aid rate per mile of road by only 3 percent, protecting small communities with many miles of

road and shifting reductions to larger communities with both the tax base and the employee compensation savings to absorb larger reduction amounts.

Other Local Government Initiatives

The Governor recommends providing additional tools to local governments to manage expenditures by:

- Removing recycling mandates;
- Allowing municipalities to merge police and fire departments to create greater operational efficiencies; and
- Eliminating library maintenance of effort funding requirements.

B. ECONOMIC DEVELOPMENT AND TRANSPORTATION

Economic Development

With the enactment of the Wisconsin Economic Development Corporation during the recent special session on job creation, the state took a huge step forward in terms of its ability to increase economic development in Wisconsin. As a public-private authority, this entity will be more nimble, creative and most importantly, faster in its response to the needs of the businesses that Wisconsin is trying to retain, grow and attract from other states. To that end, the bill provides \$98.8 million in fiscal year 2011-12 and \$97.5 million in fiscal year 2012-13 to fund economic development programs and operations. This amount includes ongoing funding for regional economic development organizations.

The corporation will have responsibility for administering tax credit certification and the brownfields grant program. Rather than having every economic development grant and loan program enumerated in statutes, however, the corporation will establish by-laws that will direct the use of grant and loan resources.

Aside from the corporation's by-laws and policies, the corporation will be governed by a 13 member board. In addition to the Governor and his appointees, both the majority and minority parties of both the Assembly and the Senate will be represented, as well as individuals from the private sector. All members of the board will be subject to standard state ethics rules and regulations and all, including private sector representatives, will be required to file full financial disclosures before serving on the board. Additional accountability and transparency will be achieved through annual reports the Wisconsin Economic Development Corporation is statutorily required to submit to the Joint Legislative Audit Committee, an audit of economic development programs throughout the state, and biennial financial and performance evaluation audits by the Legislative Audit Bureau. Finally, the board is required to establish quantifiable goals for all programs, and mandates recipients of grants and loans greater than \$100,000 to provide verified statements detailing their expenditures.

By transferring functions that were not directly focused on economic development from the current Department of Commerce to other state agencies, the Wisconsin Economic Development Corporation will be able to focus on attracting and retaining businesses that will bring much-needed jobs to Wisconsin. To that end, funding and positions related to the Divisions of Environmental and Regulatory Services, and Safety and Buildings, as well as the funding and positions related to certification for woman-owned, minority-owned and disabled veteran-owned businesses will transfer to the Department of Regulation and Licensing, which is to be renamed the Department of Safety and Professional Services. This consolidation of similar functions will lead to greater administrative efficiency, resulting in timelier processing of business and professional licenses.

In an effort to consolidate and streamline statewide housing policy, the Department of Commerce's housing assistance program and associated funding will be transferred to the Wisconsin Housing and Economic Development Authority. Lastly, the Dairy 2020 program and the administration of the dairy

manufacturing facility investment credit will be transferred to the Department of Agriculture, Trade and Consumer Protection to align recipients of the tax credit with available resources at the department.

The bill contains several other provisions that are aimed at improving existing tax credit programs. First, the treatment of capital gains that are invested in Wisconsin-based businesses has been modified in two ways to make businesses in this state more attractive to investors. The first of these changes is providing a 100 percent exclusion for capital gains realized on Wisconsin-based capital assets held for five or more years. To qualify, a business must be certified by the Wisconsin Economic Development Corporation to have 50 percent or more of its payroll and property located in Wisconsin during three of the first five years of the period during which the asset is held. The Governor also recommends providing a 100 percent capital gains realization for gains reinvested in Wisconsin-based businesses at the time the investment is made to provide an incentive to investors who are realizing gains to reinvest in Wisconsin.

Second, the job tax credit, which is aimed at business attraction and expansion and is only available to certified businesses that increase new employment, is modified to delete the upper wage limit, but establish a maximum annual credit of \$10,000 per job. As long as the state does not incur any additional cost, there is no reason to discourage companies with high-paying jobs from establishing their businesses in Wisconsin.

Third, to encourage private investment in entrepreneurial activities, the bill will allow tax-option corporations that are nonoperating entities to claim angel investments credits for investments in new business ventures. In addition, the holding period will be extended from one to three years for early stage seed or angel investments made after December 31, 2007.

The Governor also recognizes the important role that tourism plays in the Wisconsin economy by increasing the amount of funds available to the Department of Tourism to invest in marketing from \$9.9 million in fiscal year 2010-11 to \$12.5 million in fiscal year 2011-12 and to \$15 million in fiscal year 2012-13, thereby achieving the goal set by the Tourism Federation of Wisconsin.

TABLE 9: TOURISM FUNDING

	FY11	FY12	FY13
Tourism Base Marketing Funding	\$9,909,700	\$9,909,700	\$9,909,700
Additional GPR Funding			2,344,100
Additional Tribal Gaming Funding		1,191,000	1,191,000
Arts Board Funding	<u> </u>	<u>1,563,100</u>	<u>1,563,100</u>
Total	\$9,909,700	\$12,663,800	\$15,007,900

Tourism businesses include lodging, restaurants, retail, campgrounds, historic sites, museums, art galleries, community and cultural events, and much more. Dollars spent by travelers are then recirculated back into the local economy benefiting other industries, such as agriculture, manufacturing, health care, local governments, construction and service industries that directly support tourism businesses. In calendar year 2009, nearly \$1.96 billion was returned to state and local governments in tax revenue from traveler spending. For calendar year 2009, traveler spending in Wisconsin is estimated at \$12.1 billion. Tourism supported 286,000 full-time equivalent jobs in 2009 and \$3.38 billion in wages and salaries.

Finally, the Governor is recommending that the Arts Board and the film production tax credit be transferred to the Department of Tourism. The funding for these functions will be focused on those activities that both support the arts and grow the economy.

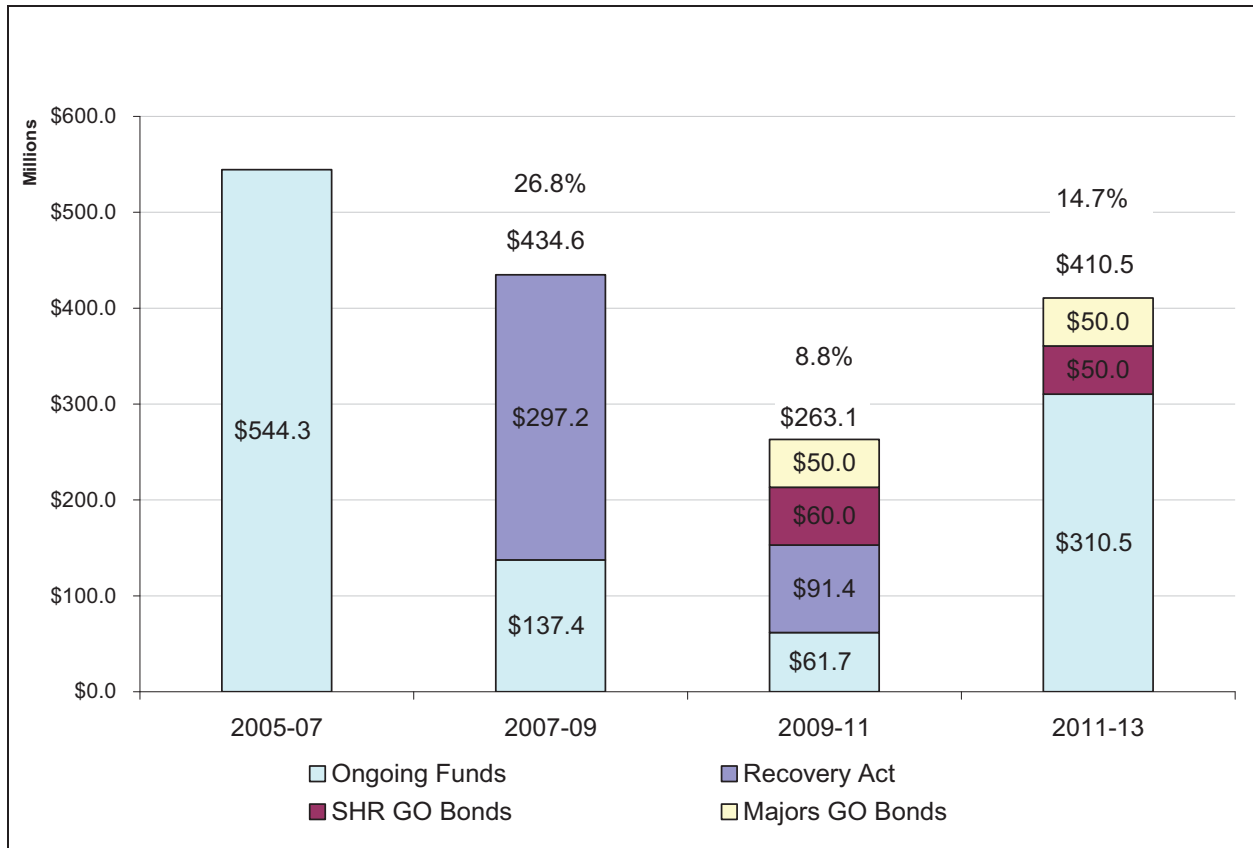
Transportation

The Governor recognizes that the efficient and safe movement of people and goods across the state is essential to economic development and the well-being of Wisconsin's citizens, businesses and visitors. The Governor's budget recommends that funding be budgeted to protect the state's investment in its highway system. Recent harsh winters have strained the state's ability to properly plow and salt roads. The Governor's budget recommends providing a 2 percent increase in the state highway maintenance budget, to partially alleviate the impact of recent winters. A \$110.8 million increase over base funding will also be provided to the State Highway Rehabilitation Program to ensure pavement integrity is maintained throughout the year.

One of the Governor's top priorities is ensuring the safe and efficient movement of traffic through Southeast Wisconsin. Given its current, deteriorated state and its status as the state's busiest interchange, the Governor recommends accelerating the reconstruction of the Zoo Interchange by dedicating a total of \$225 million over the biennium to the project. The Governor also recognizes the importance of continuing the reconstruction of Interstate 94 between the Illinois border and the Mitchell Interchange, and recommends providing a total of \$195 million to complete vital interchange construction on the project. These funds will be expended through a new program dedicated to completing highway projects in Southeast Wisconsin that cost more than \$500 million.

The Transportation Projects Commission has identified four projects that are important to the economic growth of the state, including the expansion of Interstate 39/90 between Illinois and Madison. The Governor's budget recommends enumerating these projects and providing a \$59.1 million increase over base funding amounts to partially fund these and other priority major highway improvement projects. The Governor's budget also reduces the total reliance of the Major Highway Program on bond revenue, setting the transportation revenue bonding percentage at 42.2 percent.

CHART 16: HIGHWAY PROGRAM CHANGE FROM BASE



The Governor understands the importance of a strong freight transportation network in fostering business growth in the state. The Governor recommends investing \$60 million in the state's freight rail system and \$12.5 million into the harbor infrastructure to ensure Wisconsin's goods reach customers in the state and around the world. The Governor also recommends providing transportation options by maintaining passenger rail service between Milwaukee and Chicago.

Motor vehicle related taxes and fees are user fees that should be reinvested into transportation infrastructure. To strengthen the relationship between user fees and transportation investments, the Governor recommends depositing \$95.1 million in existing automobile-related user fees into the transportation fund, including 7.5 percent of existing sales and use tax revenue from automobile-related sales in fiscal year 2012-13. The percentage of sales and use tax revenue from automobile-related sales deposited in the transportation fund will increase to 10 percent in fiscal year 2013-14 and proceed to increase by 5 percent increments each year until 50 percent of sales and use tax revenue from automobile-related sales is deposited in the transportation fund. Other motor vehicle-related fee revenues that will be deposited in the transportation fund include a title fee that previously was dedicated to environmental clean-up and a portion of petroleum inspection fee revenues. In addition, the Governor recommends shifting the funding source of operating aids for transit to the general fund. These changes strengthen the position of the transportation fund over the current biennium and put it on a more sustainable path in the future. Finally, the Governor recommends issuing \$115 million general fund supported bonds to support the highway program to help offset diversions of transportation revenues in prior budgets.

Department of Transportation Initiatives

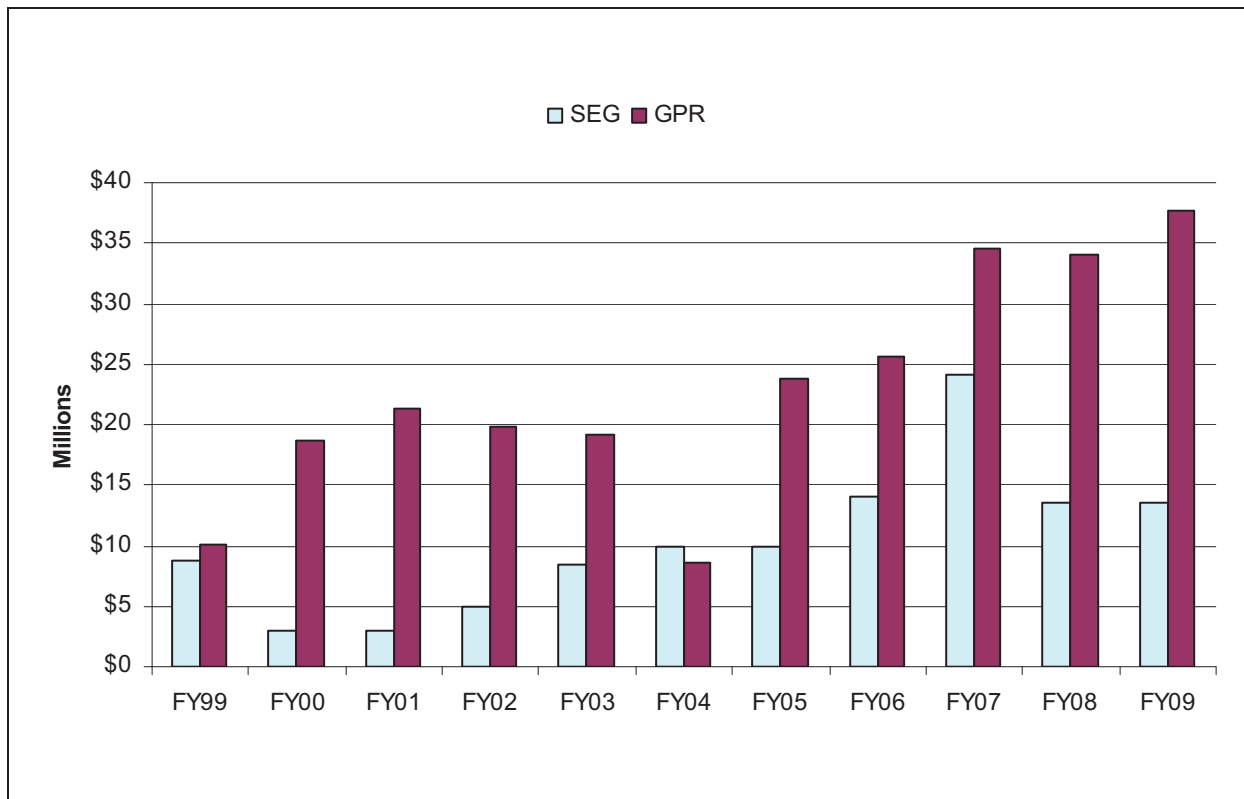
- Provide an additional \$95.1 million in transportation fund revenue by depositing the proceeds from existing automobile-related taxes and fees into the transportation fund, including a portion of sales taxes collected on automobile-related purchases, vehicle title fees and a portion of revenues from the petroleum inspection fund. These additional revenue sources will strengthen the relationship between taxes and fees on motor vehicles and the state's investment in transportation.
- Provide a total of \$420 million in funding for construction on the Zoo Interchange project and the I-94 North-South corridor. Of this amount, \$225 million will go towards addressing immediate infrastructure needs related to the Zoo Interchange. The remaining \$195 million will support continued reconstruction on the most vital remaining aspects of the I-94 North-South corridor project. These projects will serve generations of Wisconsin residents and businesses, and because of their long-term projected life, \$151.2 million of project costs will be funded with 20-year transportation fund SEG-supported general obligation bonds.
- Transfer state and federal funding associated with the expiring Southeast Wisconsin freeways rehabilitation appropriations to the department's state highway rehabilitation appropriations, and allow projects funded from the expiring appropriations to be funded from the state highway rehabilitation appropriations.
- Enumerate four new major highway projects, as recommended by the Transportation Projects Commission. The four projects are: I 39/90 in Dane and Rock counties; STH 38 in Racine and Milwaukee counties; USH 10/STH 441 in Winnebago and Calumet counties; and STH 15 in Outagamie County.
- Provide \$12.7 million in bonding authority for harbor projects and \$60 million for the Freight Rail Preservation program over the biennium.
- Fund Wisconsin's portion of increased operating costs of Amtrak service between Milwaukee and Chicago by providing \$4.3 million in state funds and \$3.4 million in federal funds over the biennium.
- Allow the department to conduct more business with customers and businesses electronically.
- Provide \$6.2 million over the biennium to meet federal requirements related to state patrol communication equipment, commercial driver license changes, and driver's license and identification card changes.

C. ENVIRONMENTAL AND NATURAL RESOURCES MANAGEMENT

The Governor recognizes the importance of balancing the protection of Wisconsin's natural resources and outdoor recreational opportunities with reasonable regulations to build a stronger economy, and remains committed to preserving public access to the state's land and waters. The budget promotes economic development while still protecting air and water quality, and, despite tremendous fiscal pressures, does not increase hunting and fishing license fees.

The budget also maintains funding for the Knowles-Nelson Stewardship Program, but refocuses priorities so that state dollars are used wisely and stronger access requirements are put in place to ensure that residents can fully enjoy Stewardship properties when engaging in nature-based outdoor activities. Nearly 500,000 acres have been purchased through the Stewardship Program and additional acres will be purchased under this budget. However, as expenditures related to debt service on Stewardship purchases totaled more the \$50 million in fiscal year 2008-09 (paid from the general fund and conservation fund), it is important to prioritize the purchase of properties that most benefit the citizens of the state. Through debt restructuring mechanisms, debt service expenditures decreased for fiscal year 2009-10 through fiscal year 2011-12, but expenditures will return to previous levels in fiscal year 2012-13.

CHART 17: STEWARDSHIP DEBT SERVICE



Local governments will have a chance to add input when the Department of Natural Resources considers purchases under the program and all purchases over \$250,000 will be reviewed by the Joint Committee on Finance. Together, these changes strengthen the Stewardship Program through the purchase of properties where multiple partners agree that the purchase is in the best interest of the state and its residents.

Wisconsin's natural resources are a vital piece of the marketability of the state, both for tourism and business development. In 2009 over \$12 billion in tourism dollars were expended in the state by 36 million overnight visitors. The direct draw of the state parks resulted in over 270,000 camping reservations in 2009 and, along with the southern forests, received an estimated 14.4 million visits in fiscal year 2009-10. Protecting these vital resources is imperative for the quality of life in the state and to attract visitors. The budget does not include any fee increases to ensure visiting one of Wisconsin's many recreational properties remains affordable.

Economic Development and Regulatory Changes

- Convert the recycling and renewable energy fund to the economic development fund. Transfer a portion of the recycling tipping fee and current appropriations that are for purposes related to the environment to the environmental fund.
- Maintain a program for brownfields redevelopment and enhance its economic development potential by giving the authority to issue grants to the Wisconsin Economic Development Corporation.
- Streamline regulatory authority by transferring soil erosion control regulation for commercial sites from the Department of Natural Resources to the new Department of Safety and Professional Services.

- Remove the requirement that a conversion fee be paid for having land zoned out of a farmland preservation zoning district, and eliminate the Purchase of Agricultural Conservation Easements Program and \$12 million in GPR-supported general obligation bonds associated with the program.
- Provide \$70,900 PR and 1.0 FTE position in each year to administer the Endangered Resources Review Program. This program has undergone rule changes that now include an expedited review of proposed development projects which allows business transactions to happen at a quicker pace.
- Strengthen Wisconsin's meat industry by authorizing additional meat inspectors to ensure food safety and support business growth.

Mandate Relief for Local Government

- Remove the requirement that a municipality or county operate a recycling program to manage solid waste in compliance with the disposal restrictions and eliminate the financial assistance program for local governmental recycling programs.
- Reform regulations for effluent limitations on phosphorous so that Wisconsin's regulations are no more stringent than neighboring states, and repeal and recreate the Municipal Separate Storm Sewer Systems stormwater standard requiring communities to reduce their total suspended solids 40 percent by 2013 so the standard is no more stringent than federal law and take into account its cost to municipalities.

Water Quality Initiatives

- Protect the Great Lakes and other waters by providing \$5 million in bond revenues to clean up contaminated sediments in the Great Lakes or its tributaries.
- Ensure the safety of Wisconsin's dams by providing \$4 million for grants to be used for dam repair, reconstruction and removal projects, and allow for greater flexibility by removing the deadline for making a request for a grant under the program.
- Protect our lakes and rivers and improve water quality in Wisconsin by providing an additional \$20 million over the biennium to reduce nonpoint source water pollution through increased nutrient management planning and other pollution abatement practices.
- Continue to investigate and remedy environmental contamination by providing \$3 million in bond revenues for contaminated site repair.

Conservation

- Respond to the current economic challenges by keeping hunting and fishing license fees at current levels. Savings from employee compensation and program reductions will keep overall fish and wildlife revenues in balance with expenditures.
- Strengthen the Stewardship Program by requiring that lands purchased under the Stewardship Program allow full public access, with limited exceptions; limiting purchases of easements and no longer purchasing development rights; eliminating payments for aids in lieu of taxes for newly purchased lands; and requiring local governments affected by these purchases to pass a nonbinding resolution in support or opposition to the purchase that the Department of Natural Resources must consider before making a final purchase.
- Provide \$926,500 in fiscal year 2011-12 and \$623,000 in fiscal year 2012-13 to support conservation wardens and rangers across the state, including radio and laptop replacement and law enforcement equipment in state parks.

- Provide \$439,900 in fiscal year 2011-12 and \$431,900 in fiscal year 2012-13 to support new facilities and campsites at state parks and southern forests throughout the state.

D. HEALTH AND HUMAN SERVICES

Medicaid

The Wisconsin Medicaid programs, including Medical Assistance, BadgerCare Plus, Family Care and SeniorCare, are an essential safety net for low-income individuals and families who lose or cannot afford employer-sponsored health insurance, and are the main source of health care coverage for many people with significant disabilities and individuals in need of nursing home care. The broad eligibility criteria and comprehensive benefits offered by the program have helped Wisconsin maintain the second highest rate of health insurance coverage in the country. However, the cost of the programs has grown tremendously, exerting pressure on all other areas of the state budget and putting the future of the programs at risk.

Over the past five years, expenditures for the Medicaid programs have increased an average of 11 percent per year, growing from \$4.4 billion all funds in fiscal year 2005-06 to \$6.6 billion in fiscal year 2009-10.

TABLE 10: MEDICAID AND BADGERCARE PLUS
(\$ in millions)

	<u>FY06</u>	<u>FY07</u>	<u>FY08</u>	<u>FY09</u>	<u>FY10</u>
General Program Revenue	\$1,361	\$1,766	\$1,756	\$1,102	\$1,286
Federal Revenue	2,706	2,774	2,906	3,879	4,675
Program Revenue	7	9	45	64	67
Segregated Revenue	360	127	212	876	635
All Funds	\$4,435	\$4,677	\$4,920	\$5,921	\$6,663
Change over prior year		5%	5%	20%	13%

Detail may not add precisely to total due to rounding.

Over the same five-year period, enrollment in the programs grew an average of 7 percent annually, from 834,000 individuals per month in fiscal year 2005-06 to 1,149,000 individuals during the first half of fiscal year 2010-11. In January 2011, the programs covered more than 1.16 million individuals, which is over 20 percent of the state's population, including a third of all children in the state.

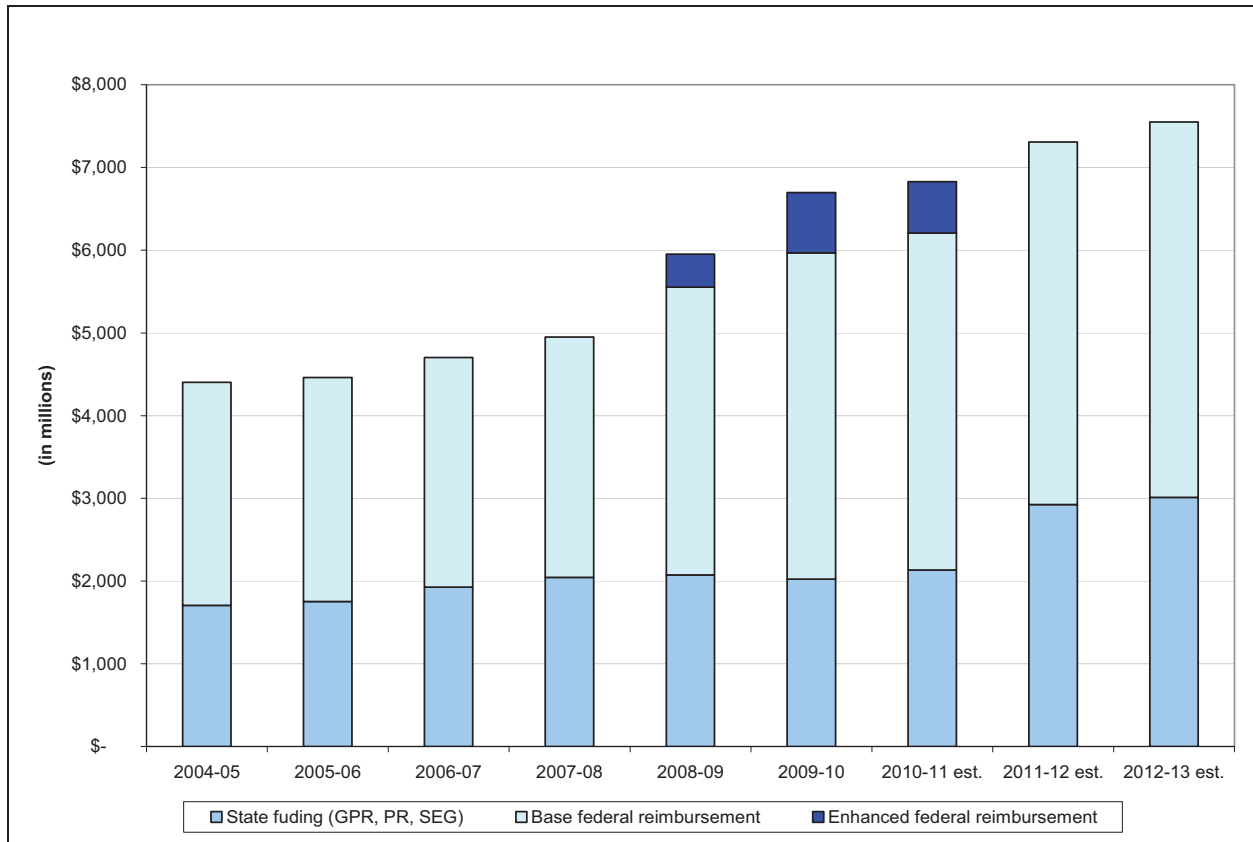
TABLE 11: MEDICAID AND BADGERCARE PLUS ENROLLMENT

	<u>FY06</u>	<u>FY07</u>	<u>FY08</u>	<u>FY09</u>	<u>FY10</u>	<u>FY11 (1st Half)</u>
Low-Income Parents and Children	491,356	491,604	524,465	595,100	685,926	720,580
At-Risk Children and Young Adults	20,197	20,039	20,403	20,658	21,764	22,083
Elderly, Blind and People With Disabilities	170,067	170,163	172,728	177,590	184,871	190,878
Adults Without Dependent Children				6,199	50,627	54,745
Miscellaneous Full Benefit Recipients	389	494	686	1,179	1,867	2,368
Limited Benefit Plans	<u>152,019</u>	<u>167,330</u>	<u>154,947</u>	<u>147,317</u>	<u>149,811</u>	<u>158,800</u>
Total Medicaid and BadgerCare Plus Enrollment	834,027	849,630	873,229	948,043	1,094,866	1,149,452
Change Over Prior Year		2%	3%	9%	15%	5%
Change in General Fund Revenues		5%	3%	-7%	0%	5%

The rate of growth in the Medicaid programs is unsustainable. While Medicaid spending has grown by 50 percent, state general fund tax collections have remained flat and collections of individual income taxes and sales taxes have decreased by 1 percent and 4 percent respectively. The increase in Medicaid costs must be offset by reductions elsewhere, squeezing funding for education, public safety, property tax relief and other essential government functions.

The majority of the Medicaid growth over the past two years was supported by a temporary increase in federal funding for the program. Under the American Recovery and Reinvestment Act and the Education Jobs Act, the share of Medicaid costs reimbursed by the federal government increased between 5 percent and 10 percent between October 2008 and June 2011. While total expenditures increased an average of 12 percent per year between fiscal years 2008-09 and 2010-11, state funding for the program increased 1 percent annually. The additional federal funding totaled \$630.5 million in fiscal year 2010-11, which will require the state to replace \$1,261 million of Medicaid expenditures with state funding in the next biennium.

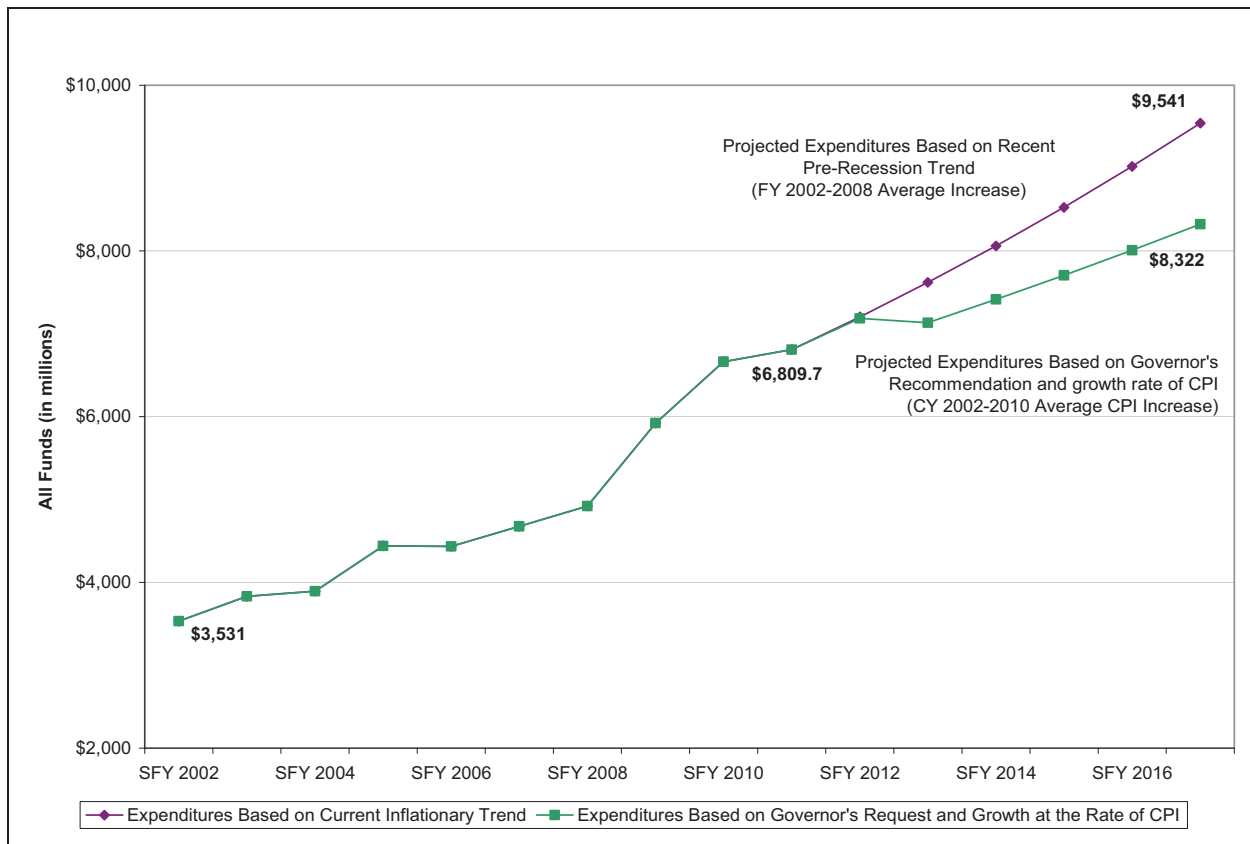
CHART 18: MEDICAID EXPENDITURES BY FUND SOURCE



Instead of reducing benefits across-the-board or cutting provider reimbursement rates to levels that shift costs on to other payers, as many other states have been forced to do, the Governor is recommending a package of fundamental program reforms that will increase the cost-effectiveness of the benefit delivery system, realign provider incentives to achieve better outcomes, bring the coverage of working families back in line with private insurance and meaningfully manage the care provided to high needs individuals to prevent avoidable complications and minimize the provision of unnecessary services.

Making these common sense, focused changes will allow the state to bend the cost curve on program expenditures. Even prior to the recession, Medicaid expenditures grew by almost 6 percent per year while the consumer price index for medical care increased by less than 4 percent. Wisconsin's Medicaid program requires significant, immediate reform in order to become sustainable and to continue to serve the populations that depend on it. Failure to implement meaningful changes now only increases the scope of the challenges to be faced in the future, putting the program and the people who rely on it at risk.

CHART 19: BENDING THE COST CURVE THROUGH MEDICAID REFORM



The Governor's plan for Medicaid will reduce expenditures by over \$500 million in the next biennium, compared to the prerecession trend. For future years, those savings continue to grow, totaling \$1.2 billion all funds by fiscal year 2016-17.

Medicaid is a joint federal-state program that must be operated according to federal requirements laid out in law, regulations and the Medicaid state plan. These federal restrictions can be an impediment to achieving the efficiencies necessary to preserving the Medicaid safety net. For example, federal law, enacted as part of the Patient Protection and Affordable Care Act, prohibits states from reducing eligibility levels or changing eligibility standards for most adults until 2014 and for children until 2019. States facing a budget deficit may reduce eligibility for nondisabled adults with family incomes over 133 percent of the federal poverty level. Under this federal law, Wisconsin can eliminate Medicaid coverage for 70,000 adults who are not pregnant or disabled, but cannot make reasonable changes to the eligibility determination process, such as ending coverage for an individual who is no longer eligible after a ten-day notice period instead of the end of the month, a practice that would reduce costs by \$25 million over the biennium.

As a result of these restrictions, many states are forced to find Medicaid savings from other, allowable sources by eliminating optional benefits for adults, including prescription drugs, vision, personal care and dental services, and significantly cutting health care provider rates, making it difficult for recipients to access care. At least six states have begun discussions on eliminating their Medicaid programs entirely.

Wisconsin is one of 33 states seeking additional flexibility from the U.S. Department of Health and Human Services through a waiver of this eligibility requirement. Approval of the waiver will permit the Department of Health Services to enact reasonable policies to reduce the crowd-out of private health insurance, improve the accuracy of eligibility determinations, ensuring that only qualified individuals are enrolled in

Medicaid, and require that individuals enroll in all other available programs prior to becoming eligible for Medicaid. These changes to the eligibility criteria are necessary to ensure that program resources are targeted to those who have no other means to access health care. Without the waiver, Medicaid expenditures will exceed the budget by over \$100 million during the biennium.

The Governor's plan for Medicaid preserves the current income eligibility levels, recognizing the importance of Medicaid as a safety net for low-income and working families. However, if the federal government does not allow the state to realize the needed savings through improvements in eligibility policies, a provision in the budget repair bill will require the Department of Health Services to eliminate coverage of nondisabled, nonpregnant adults with family incomes over 133 percent of the federal poverty level on July 1, 2012, if the federal waiver is not approved by January 1, 2012.

SeniorCare

Preserving the SeniorCare drug assistance program, even in very difficult fiscal conditions, is a priority of the Governor. SeniorCare is the only program of its kind left in the country that provides state and federal Medicaid funding to help seniors pay their prescription drug costs. Many seniors depend on the program to fill the gaps left by Medicare Part D, particularly the "donut hole" and classes of drugs that are not covered under the Part D formularies.

The Medicaid program was created to be a safety net for the uninsured and a supplementary health program for individuals with particularly high-care needs, and is the payer of last resort for individuals who are enrolled in other coverage. Under the Governor's plan, benefits and income eligibility levels for the SeniorCare drug assistance program will not change. However, effective January 1, 2012, the Department of Health Services will require eligible individuals to enroll in Medicare Part D drug coverage as a condition of SeniorCare enrollment. This policy change will reduce SeniorCare expenditures by \$15 million GPR over the biennium while ensuring that Wisconsin seniors still have access to the best prescription drug coverage in the country.

Family Care

Over the past four years, the Family Care community-based long-term care program has expanded rapidly from five pilot counties in 2006 to 56 counties covering 80 percent of the state's population in January 2011. The program now accounts for over \$1.3 billion in Medicaid expenditures each year. During that expansion, there has not been an adequate review of the effectiveness of the program in meeting the care needs of participants and providing services in a cost-effective and accountable manner. As a result of issues raised by Family Care providers, advocates for the elderly and people with disabilities, and Family Care members and families, the Legislative Audit Bureau is conducting a comprehensive audit of the Family Care program. In concert with the audit, the Governor recommends reviewing the Family Care program and fully funding the cost of current enrollees.

Children and Families

While the recessionary economy has put more stress on families already subject to multiple risk factors, we must not lose sight of the fact that the best way out of poverty is a job. The Governor believes that the path from welfare to unsubsidized employment is grounded in work experience and for too long the Wisconsin Works (W-2) program has lost focus on this most basic tenet of welfare reform. The Governor believes that by restoring many of the basic policies which guided the creation of the W-2 program, individuals who have struggled to gain a foothold in the state's workforce will become more accountable and able to move from welfare to sustained work. To address this priority, the Governor recommends the following changes to increase accountability in the W-2 program and increase efficiencies in state government.

- Reform the W-2 cash assistance program rules to ensure participants are personally accountable to meaningfully participate in work experience in order to receive cash assistance. These include restoring the requirement that full-time participants spend at least 28 to 30 hours per week in work

- To further encourage W-2 recipients to recognize that the goal of W-2 is for participants to secure unsubsidized employment, reduce the monthly benefit check by \$20.
- Transfer the FoodShare, State Supplement to Federal Supplemental Security Income and Caretaker Supplement programs from the Department of Health Services to the Department of Children and Families to consolidate economic welfare programs into one agency and streamline state services.

Historically, the Wisconsin Shares child care subsidy program expenditure growth has continued at an unsustainable rate. In early 2009, media brought attention to rampant fraud in the Wisconsin Shares system, prompting a statewide focus on ending fraud in the system and ensuring taxpayer dollars weren't misspent on fraudulent activity. The Governor recognizes that Wisconsin must continue its intense and thorough investigation of suspected fraud in the Wisconsin Shares child care subsidy program in order to ensure that taxpayer dollars provide incentives to improve child care quality. Already, the Department of Children and Families' efforts have resulted in decreased taxpayer funded expenditures for child care by \$30.7 million in fiscal year 2010-11.

Additionally, the Governor is committed to providing parents with information on child care providers to empower them to make informed choices when choosing child care services and ensure that taxpayer dollars only fund high-quality child care. To address these priorities, the Governor recommends the following:

- Continue the Department of Children and Families' child care fraud detection and investigation work without reducing staff and resources to combat fraud in the Wisconsin Shares program.
- Authorize the Department of Children and Families to implement several cost saving measures for the Wisconsin Shares program, including implementing a waiting list, increasing copayments that individuals who receive a subsidy pay, adjusting the amount of reimbursement paid to child care providers and adjusting the gross income levels for eligibility for child care subsidies.
- Continue implementation of the five-star tiered reimbursement structure for child care providers that rewards providers who improve the quality of their services with an adjustment to increase the maximum rates paid by the state. Rates for lower quality providers will be reduced by tier from the maximum rates paid by the state.

For children most vulnerable to abuse and neglect it continues to be a challenge for government to ensure their safety when placed in out-of-home care. The challenges are especially acute in the Bureau of Milwaukee Child Welfare and have only been intensified by reduction in the federal government's investment in child welfare services.

While much work remains to be done, the Governor is committed to protecting Wisconsin's children and the Department of Children and Families' leadership has already identified priorities and strategies that will strengthen the state's ability to protect children from abuse and neglect by providing the Bureau of Milwaukee Child Welfare with the resources necessary to react to suspected cases of abuse and neglect in a timely manner.

In addition to the decline in federal reimbursement, Wisconsin's child welfare system has been challenged by decreases in the number of foster care families and rising costs for children placed in treatment oriented care, such as group homes and residential care centers. To maintain his commitment to children and families, and improve efficiency and consistency for children across the State of Wisconsin, the Governor recommends the following:

- Provide \$2.7 million GPR over the biennium to fund out-of-home care expenditures in the Bureau of Milwaukee Child Welfare due to increasing caseloads and previous federal disinvestment in child welfare.

- Provide \$324,300 GPR and 5.0 FTE positions in fiscal year 2011-12 and \$488,800 and 6.0 FTE positions in fiscal year 2012-13 to implement a regulated rate system for group homes, residential care centers and treatment foster care agencies.

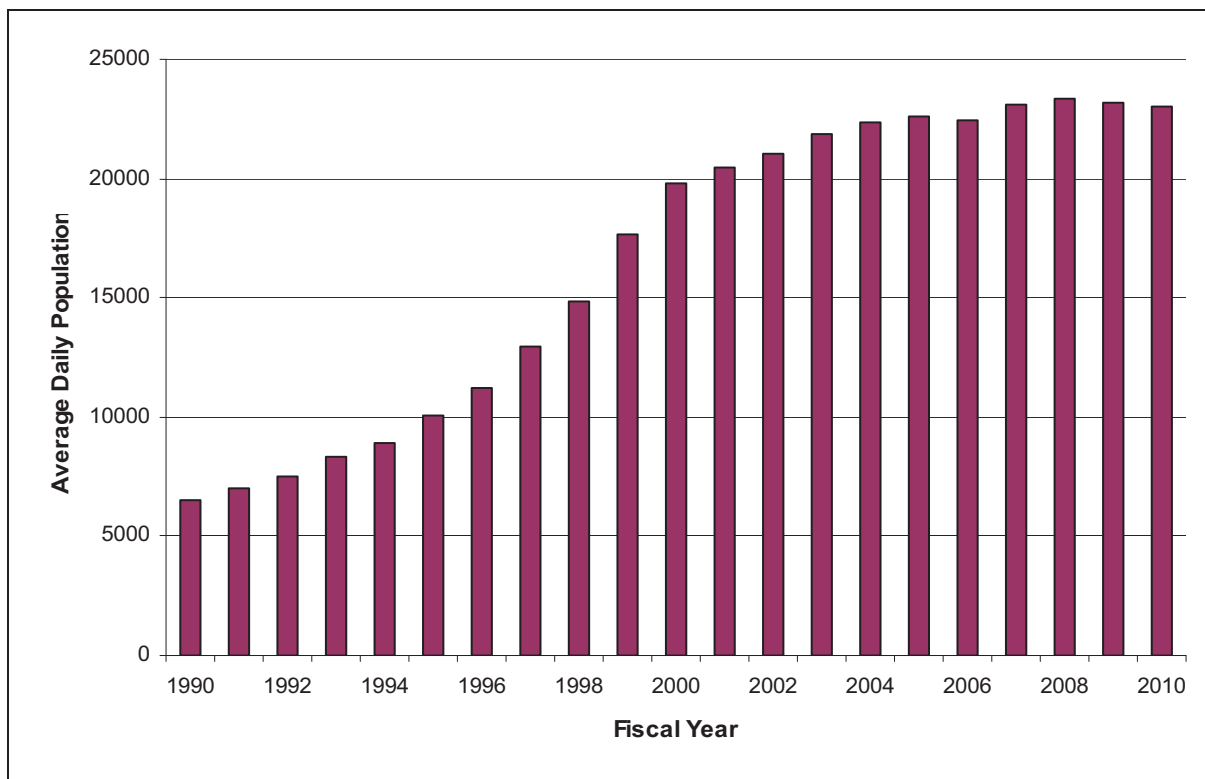
E. JUSTICE

The Governor places a high priority on public safety. That is why his budget provides funding to hire quality public defenders to represent indigent offenders and retain experienced prosecutors. The budget increases resources to ensure timely processing of DNA submissions, and increase investigations of on-line predators that prey on children. It also provides funding to ensure that first responders will be able to communicate during emergencies, and expands protections for victims of crime by providing funding for the Victim Information and Notification Everyday system to ensure that victims throughout the state can receive notification of offender status and location. The budget further provides funding and position authority to ensure that the Department of Corrections will be able to supervise offenders placed on community supervision as a result of strengthening drunken driving penalties in 2009 Wisconsin Act 100.

It is especially important to protect public safety in times of scarce resources. The budget restores the integrity of truth-in-sentencing and reinforces the importance of public protection as a high priority. Early release provisions put in place in 2009 Wisconsin Act 28 are repealed and the Parole Commission is restored to its duties and responsibilities that existed prior to Act 28.

Prison populations across the country fell from 2009 to 2010 for the first time in nearly 40 years.

CHART 20: ADULT CORRECTIONS POPULATION

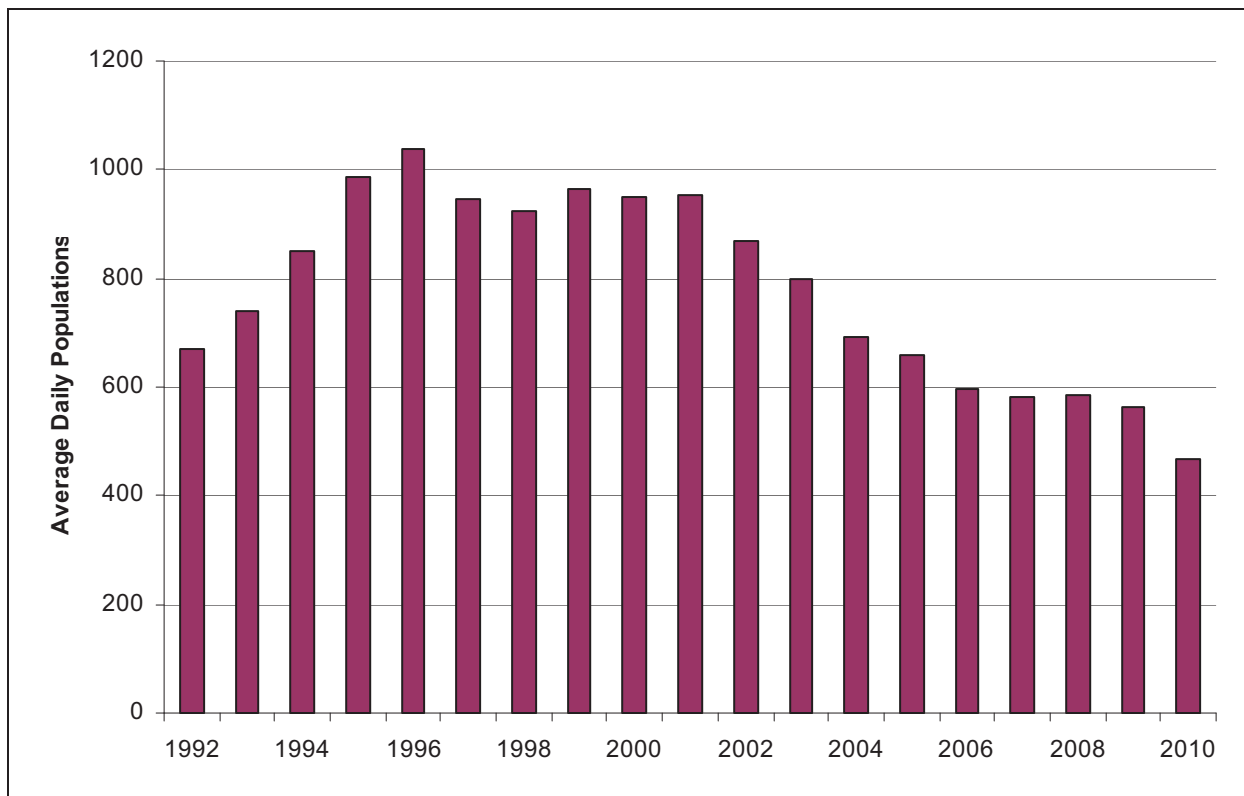


Wisconsin has followed that trend with decreases in each of the last two years. In fiscal year 2009-10, the average daily population in adult institutions was 23,015, compared to 23,341 in fiscal year 2007-08.

The projected average daily population in fiscal year 2012-13 is 21,217. These population decreases result in significant savings in the Department of Corrections and allow the department to focus its scarce resources on ensuring that inmates remain in prison for the duration of their sentences.

The number of juvenile offenders sent to correctional institutions has fallen dramatically over the last several years.

CHART 21: JUVENILE INSTITUTION CORRECTIONS POPULATIONS



In fiscal year 2009-10, the juvenile institution average daily population was 466, compared to 587 in fiscal year 2007-08. The projected average daily population in fiscal year 2012-13 is 340. This is good news for families throughout Wisconsin. However, this also means that the Department of Corrections can no longer afford to operate three separate juvenile facilities. The department faces a \$21 million deficit by the end of fiscal year 2010-11, a number that will continue to grow and, if no action is taken, would result in rates of more than \$500 per day for counties to send a juvenile to a correctional facility. As a result of consolidating the juveniles at Lincoln Hills School for boys and creating the Copper Lake School for girls at Lincoln Hills, the rates paid by counties will increase from the current \$275 per day to \$284 in fiscal year 2011-12 and \$289 in fiscal year 2012-13, including \$17 per day to reduce the deficit over the next ten years.

TABLE 12: JUVENILE DAILY RATES

	<u>FY12</u>	<u>FY13</u>
Governor's Budget (Includes Deficit Elimination Over Ten Years)	\$284	\$289
Facility Closure and No Deficit Reduction	\$267	\$272
Facility Closure and Deficit Elimination Over Biennium	\$351	\$356
No Facility Closure and No Deficit Reduction	\$454	\$458
No Facility Closure and Deficit Elimination Over Ten Years	\$471	\$475
No Facility Closure and Deficit Elimination Over Biennium	\$538	\$543

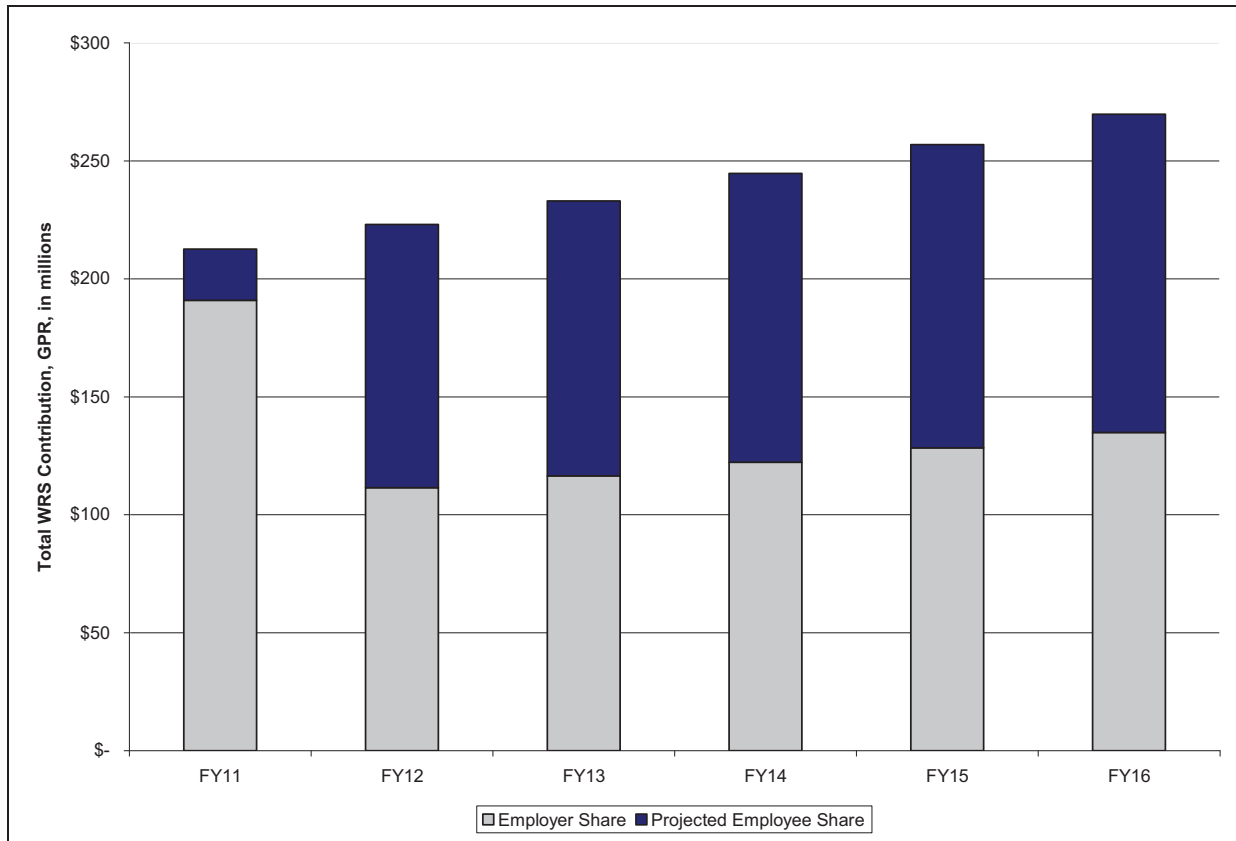
F. GOVERNMENT OPERATIONS AND EFFICIENCY

The Governor believes that the amount state and local government employees pay toward their pension and health insurance benefits should be comparable to those paid by private sector workers and government employees in other states. Currently, state, school district and municipal employees that are members of the Wisconsin Retirement System generally pay little or nothing toward their pensions. Many private sector companies do not even offer a defined benefit plan any longer and for those that do offer a retirement plan, an employee contribution equal to at least 5 percent of their wages is common. At the state level, employees on average pay 6 percent of the health insurance premium under current law. Based on national data from the Kaiser Foundation, the percent of health insurance premium paid by private sector employees ranges from 20 percent to 30 percent.

As such, the budget repair bill contained the following provisions that increase state and local employee contributions towards pension and health insurance costs. The annualized savings related to those modifications have been included in the budget bill. The benefit to the general fund is approximately \$300 million over the biennium.

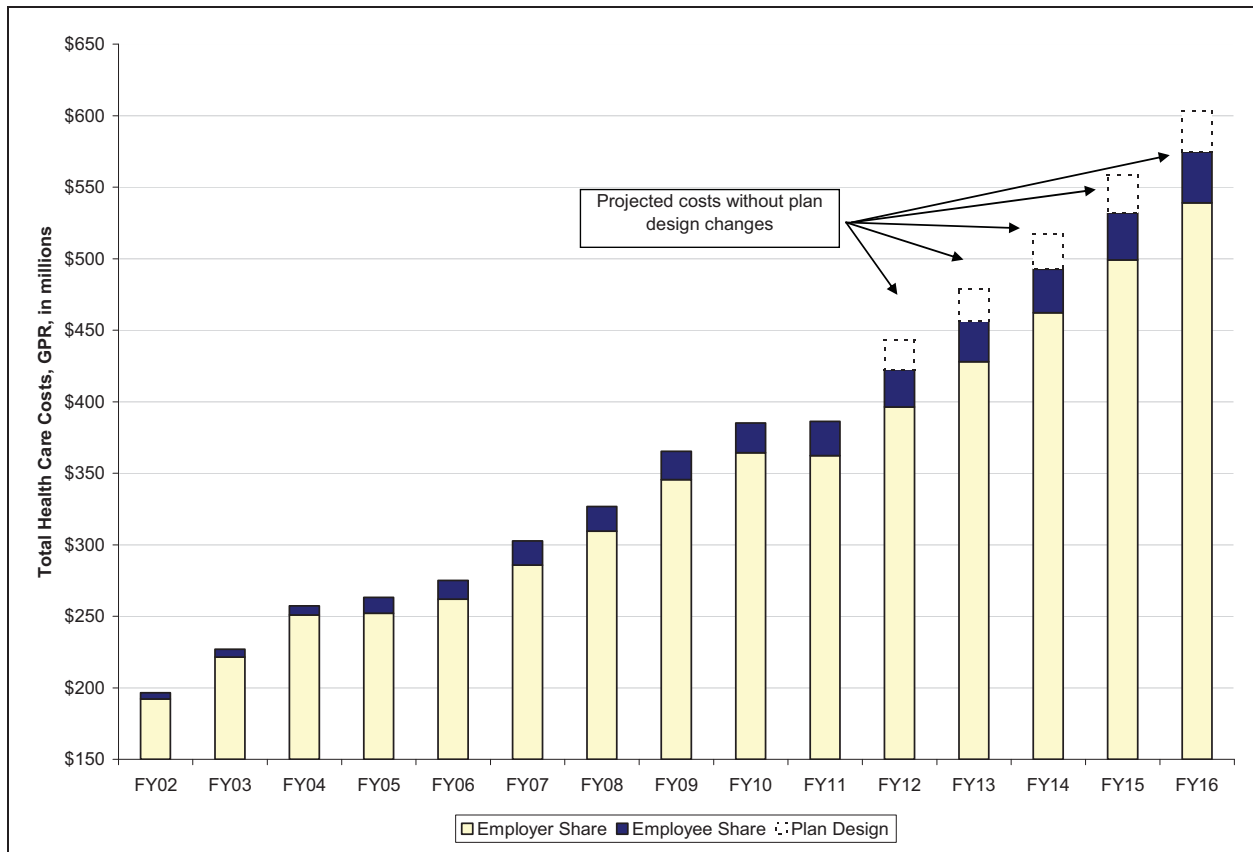
First, state and local employees that participate in the Wisconsin Retirement System will generally pay 50 percent of the total required retirement contribution, which for calendar year 2011 equals 5.8 percent of salary.

**CHART 22: ADDITIONAL EMPLOYEE CONTRIBUTIONS TO WRS IN FY12 AND FY13
WILL SAVE \$228 MILLION GPR**



Second, state employees will pay at least 12.6 percent of the average cost of annual premiums. In addition, the bill would require changes to the plan design necessary to reduce current premiums by 5 percent. Local employers participating in the Public Employers Group Health Insurance will be prohibited from paying more than 88 percent of the lowest cost plan. The Department of Employee Trust Funds will be directed to use \$28 million of excess balances in reserve accounts for health insurance and pharmacy benefits to reduce health insurance premium costs.

CHART 23: ADDITIONAL EMPLOYEE CONTRIBUTIONS AND PLAN DESIGN CHANGES WILL REDUCE HEALTH INSURANCE COST GROWTH TO THE STATE BY \$98 MILLION GPR IN FY12 AND FY13



Third, the Department of Employee Trust Funds and the Group Insurance Board will be directed to implement health risk assessments and similar programs aimed at participant wellness, collect certain data related to assessing health care provider quality and effectiveness, and verify the status of dependents participating in the state health insurance program.

Fourth, the pension calculation for elected officials and unclassified executives will be modified to be the same as general occupation employees and teachers. Current law requires a larger employer contribution into the pension fund because individuals in those positions receive a higher multiplier for pension calculation than general classification employees. For elected officials, this formula benefit change will be effective at the beginning of their next term of office due to provisions of the State Constitution.

Fifth, to control growth in future benefit costs, the Department of Administration, Office of State Employment Relations and Department of Employee Trust Funds will be directed to study and report on possible changes to the Wisconsin Retirement System, including instituting defined contribution plans for new and existing employees, allowing employees to opt-out of paying the employee share and consequently receiving a lower benefit, and requiring a vesting period before receiving pension benefits. The three agencies must also study and report on changes to the current state health insurance plans on items such as having state employees participate in the health insurance purchasing exchange, development of a purchasing pool for state and local governments as well as Medicaid, and inclusion of high-deductible insurance options.

In conjunction with the modifications to employee compensation, the Governor is committed to making government run as efficiently and cost-effectively as possible. The budget takes several steps toward that end. First, all positions that have been vacant for longer than 12 months will be eliminated. Second, the Department of Administration secretary will be authorized to eliminate additional vacancies if it is determined that the agency can meet its mission without them. Third, the budgets of most agencies have been reduced in two ways – a 10 percent across-the-board cut to non-personnel budgets and a reduction related to absorbing the 2 percent pay increase that represented staff received in the June 2009. Fourth, the budget authorizes the Department of Administration secretary to lapse an additional \$145 million over the biennium from executive branch agencies.

The Governor has also directed agencies to continue to seek approval from the Department of Administration prior to filling any vacant position and to submit any out-of-state travel requests through a similar process. In these tight economic times, agencies will have to continue to perform core functions with fewer staff and less overall resources.

Several additional actions have been taken to streamline state government, including transferring the College Savings Program and the local government investment pool to the Department of Administration, consolidating certain administrative functions from the State Treasurer and the Secretary of State into the Departments of Administration and Financial Institutions, eliminating the Office of Energy Independence, and folding the Arts Board into the Department of Tourism.

The budget also includes provisions relating to procurement of goods and services to: (a) increase the statutory threshold required for official sealed bids and official sealed proposals from \$25,000 to \$50,000; (b) eliminate the requirement to conduct uniform cost-benefit analyses for contractual service contracts; (c) remove the requirement that agencies and the University of Wisconsin campuses use specifications in purchasing bids that conform to the specifications of prison industries; (d) replace comparable price terminology with price equal to or lesser than in regards to purchases from prison industries; (e) exempt equipment from energy standards when the purchase amount is less than \$5,000 per unit; (f) exempt equipment from energy standard purchasing requirements if no energy standard exists; and (g) permit the Bureau of Procurement to maintain a list of bidders or contractors who have been convicted of criminal offenses.

Finally, the Governor has established a bipartisan commission to identify waste, fraud and abuse in state spending programs and recommend solutions. The seven-person commission is comprised of a private sector chairman, an at-large private sector member, the deputy secretary of the Department of Administration, and a majority and minority member from each house of the Legislature appointed by the respective leader in each house. The commission is charged with going through the budget line-by-line to identify waste, fraud and abuse that might otherwise have gone undetected for years. By taking advantage of savings that have already been publicly identified, such as Wisconsin Shares fraud and excessive overtime, the commission aims to save at least \$300 million per year.

G. REVENUE AND GENERAL FUND TAXES

Reducing taxes on Wisconsin individuals and businesses is vital to restoring vibrant economic growth in Wisconsin, which is necessary for the long-term fiscal health of the state. National rankings of business climate consistently give a relatively low ranking to Wisconsin's tax climate.

To improve Wisconsin's business tax climate and spur job creation and investment, the Governor recommends two changes to the treatment of capital gains that are invested in Wisconsin-based businesses to make businesses in this state more attractive to investors. The first of these changes is providing a 100 percent exclusion for capital gains realized on Wisconsin-based capital assets held for five or more years. To qualify, a business must be certified by the Wisconsin Economic Development Corporation to have 50 percent or more of its payroll and property located in Wisconsin during three of the first five years of the period during which the asset is held. The Governor also recommends providing a 100 percent capital gains tax deferral for gains reinvested in Wisconsin-based businesses at the time the investment is made to provide an incentive to investors who are realizing gains to reinvest in

Wisconsin. These two measures will increase capital investment in Wisconsin businesses and create jobs.

Additionally, the Governor recommends increasing the period that businesses may carryforward net losses for purposes of offsetting tax liability and allowing businesses filing combined returns to share a portion of carryforward losses incurred prior to 2009 among members of the combined group. This will allow businesses to adjust their tax burdens to more accurately represent the performance of their businesses. The Governor also recommends streamlining the state's combined reporting law to remove administrative hurdles to compliance by disallowing the Department of Revenue's ability to overturn combined group elections to provide certainty to businesses that their tax filing status will be maintained.

The Governor also recommends updating Wisconsin's tax code to conform with several recently enacted provisions in the Internal Revenue Code regarding the treatment of Roth IRA accounts in 457(b) retirement plans, the tax treatment of tax credit bonds and the tax treatment of certain annuity products. All of these changes simplify tax compliance for individual taxpayers. These changes are expected to generate \$230,000 in tax revenue in fiscal year 2011-12 and decrease tax revenues by \$347,000 in fiscal year 2012-13.

These actions are in addition to the several significant actions enacted in the 2011 January Special Session. These actions included: (a) federalizing the tax treatment of health savings accounts to make more attractive the use of such accounts by removing the state tax on qualified deductions; (b) the creation of tax credits and deductions for businesses that relocate to Wisconsin; (c) a job creation tax deduction for businesses that add to their Wisconsin payroll; (d) increases in the amount of authority in the economic development tax credit; and (e) tighter controls on the Legislature's ability to increase tax rates. In total, taxes will be reduced \$200 million over the biennium, spurring job creation and reducing the burden on Wisconsin's taxpayers.

TABLE 13: TAX CHANGES
(\$ in millions)

	<u>FY12</u>	<u>FY13</u>
<u>2011 January Special Session</u>		
Health Savings Account Federalization	\$21.2	\$28.0
Job Creation Tax Deduction	33.5	33.5
Relocated Businesses Tax Credits and Deductions	0.5	0.5
Expanded Economic Development Tax Credit	<u>0.0</u>	<u>0.0</u>
<i>Subtotal Special Session</i>	\$55.2	\$62.0
<u>2011-13 Biennial Budget</u>		
Capital Gains Tax Deferral for Wisconsin-based Businesses	16.1	20.2
Capital Gains Tax Exclusion for Wisconsin-based Businesses	0.0	0.0
Carryforward Loss Sharing Under Combined Reporting	9.2	37.2
Internal Revenue Code Updates	-0.2	0.3
Modular Home Sales Tax Exemption	0.3	0.3
Personal Renewable Fuel Sales Tax Exemption	<u>Minimal</u>	<u>Minimal</u>
<i>Subtotal Biennial Budget</i>	\$25.4	\$58.0
Total Relief to Taxpayers	\$80.6	\$120.0

Economic Assumptions and Revenue Estimates

V. ECONOMIC ASSUMPTIONS AND REVENUE ESTIMATES

NATIONAL ECONOMY

The Legislative Fiscal Bureau's 2011-13 revenue estimates are based on the January 2011 national economic forecast from IHS Global Insight, Inc. (Global Insight). Global Insight forecasts that the economy will continue to improve because of several actions taken by the federal government, including the passage of the federal Tax Relief Act of 2010, projected moderation of federal spending, and the expectation that the Federal Reserve will keep the federal funds rate near 0 percent until March 2012. Many of the major economic indicators have turned, and are expected to remain, positive through 2013.

- **Real Growth.** Real Gross Domestic Product (GDP) will increase by 3.2 percent in 2011, by 2.9 percent in 2012 and by 3.1 percent in 2013.
- **Employment.** Employment is expected to continue to slowly recover after a significant decline in 2009 that continued into 2010. Total employment will increase by 1.4 percent in 2011 and 2.0 percent annually in 2012 and 2013.
- **Inflation.** Inflation is expected to continue to remain low. The inflation rate will increase by 1.6 percent in 2011, by 1.9 percent in 2012 and by 2.0 percent in 2013.
- **Profits.** After a strong return in 2010, profits are expected to moderate. Profits will decrease by 18.6 percent in 2011, then increase by 2.3 percent in 2012 and 22.3 percent in 2013.
- **Incomes.** As employment improves, income is also expected to grow. Personal income is expected to increase by 4.9 percent in 2011, 3.0 percent in 2012 and 4.6 percent in 2013.
- **Retail Sales.** Retail sales are also expected to improve as consumers become more confident in the economy and release pent up demand for goods and services. Retail sales are expected to increase by 6.7 percent in 2011, 5.5 percent in 2012 and 4.4 percent in 2013.

TABLE 14: SUMMARY OF THE NATIONAL ECONOMIC OUTLOOK

Economic Indicators	Actual		2011	Forecast	
	2009	2010		2012	2013
Gross Domestic Product					
Nominal GDP	-1.7	3.8	4.3	4.1	4.7
Real GDP	-2.6	2.9	3.2	2.9	3.1
Prices and Wages					
GDP Deflator	0.9	0.9	1.1	1.2	1.5
Consumer Price Index	-0.3	1.7	1.6	1.9	2.0
Compensation Per Hour	1.9	2.0	2.5	2.9	3.0
Production and Other Measures					
Total Nonfarm Employment	-4.3	-0.5	1.4	2.0	2.0
Industrial Production	-9.3	5.6	3.8	3.4	4.0
Housing Starts (Millions)	0.554	0.590	0.685	1.092	1.435
Light Vehicle Sales (Millions)	10.40	11.52	13.13	14.93	16.01
Retail Sales	-6.3	6.6	6.7	5.5	4.4
Profits and Income					
Corporate Profits Before Tax	-1.2	39.1	-18.6	2.3	22.3
Personal Income	-1.7	3.0	4.9	3.3	4.6

All numbers are annual percent change except as noted.

WISCONSIN ECONOMY

In 2010, Wisconsin's economy began to improve along with the national economy. Wisconsin's unemployment rate continued to be below the national rate, with Wisconsin's rate averaging 8.2 percent in 2010 compared to the national average of 9.7 percent in 2010. Wisconsin's income growth (up 1.0 percent), however, trailed the national personal income growth rate of 3.0 percent.

TABLE 15: SUMMARY OF THE WISCONSIN ECONOMIC OUTLOOK

Economic Indicators	Actual		2011	Forecast	
	<u>2009</u>	<u>2010</u>		<u>2012</u>	<u>2013</u>
Total Nonfarm Employment (in thousands)	2,748.3	2,724.4	2,751.3	2,810.9	2,865.0
Percent Change	-4.5	-0.9	1.0	2.2	1.9
Unemployment Rate – Percent of Labor Force	8.5	8.2	7.7	7.1	6.5
Personal Income Percent Change	4.3	2.6	3.4	2.8	3.3

For the coming biennium, Wisconsin's economy is expected to continue to improve, similar to the rest of the country.

- **Employment.** The state's overall employment changes will be similar to the national employment changes. In 2011, total nonfarm employment will increase by 1.0 percent. In 2012 and 2013, employment growth will be 2.2 percent and 1.9 percent, respectively. The state's unemployment rate is expected to remain below the national rate, but follow the same projected trend. Wisconsin's unemployment rate is expected to decline to 7.7 percent in 2011, 7.1 percent in 2012 and 6.5 percent in 2013. In comparison, the national unemployment rate is expected to decrease to 9.3 percent in 2011, 8.7 percent in 2012 and 8.1 percent in 2013.
- **Income.** Wisconsin's personal income growth will also be similar to the national trend. Wisconsin's total personal income should increase by 3.4 percent in 2011, 2.8 percent in 2012 and 3.3 percent in 2013. This compares to national income growth estimates of 4.9 percent in 2011, 3.3 percent in 2012 and 4.6 percent in 2013.

REVENUE ESTIMATES

TABLE 16: GENERAL PURPOSE REVENUE ESTIMATES
(\$ in millions)

<u>Current Law Estimates</u>	<u>Actual FY10</u>	<u>Estimate FY11</u>	<u>Estimate FY12</u>	<u>Estimate FY13</u>
Individual Income	\$6,089.2	\$6,350.0	\$6,650.0	\$7,000.0
General Sales and Use	3,944.2	4,150.0	4,350.0	4,485.0
Corporation Franchise and Income	834.5	935.0	900.0	925.0
Public Utility	319.4	339.5	344.6	352.6
Excise				
Cigarette	644.3	620.0	615.0	610.0
Liquor and Wine	44.2	45.4	46.4	47.5
Tobacco Products	59.9	64.0	66.5	69.0
Beer	9.6	9.5	9.5	9.5
Insurance Companies	130.7	132.0	133.3	134.6
Miscellaneous	<u>55.8</u>	<u>46.0</u>	<u>49.0</u>	<u>57.0</u>
Total GPR Taxes	\$12,131.7	\$12,691.4	\$13,164.3	\$13,690.2
Change Over Prior Year				
Amount		\$559.7	\$472.9	\$525.9
Percent		4.6%	3.7%	4.0%

Detail may not add precisely to total due to rounding.

The Governor recommends several initiatives to encourage investment and create jobs in Wisconsin. These are described earlier under general fund tax changes and are summarized in Table 13. The principal tax change for individual income tax is the capital gains exclusion for investments in Wisconsin-based businesses. The principal sales tax changes included in the Governor's budget bill are exempting sales of modular homes that will be located outside of Wisconsin and sales of personal renewable fuel, and depositing a portion of sales tax revenue related to automobile-related purchases in the transportation fund beginning in fiscal year 2012-13.

The principal corporate tax changes are allowing combined groups to share members' carryforward losses that were incurred prior to 2009 and extending the time period that losses may be carried forward from 15 years to 20 years. These changes will allow combined groups to more accurately reflect the group's taxable income. The Governor also recommends conforming to recent changes in the federal tax code.

**TABLE 17: GENERAL PURPOSE REVENUE ESTIMATES UNDER
GOVERNOR'S RECOMMENDATIONS**
(\$ in millions)

<u>Current Law Estimates</u>	<u>Actual FY10</u>	<u>Estimate FY11</u>	<u>Estimate FY12</u>	<u>Estimate FY13</u>
Individual Income	\$6,089.2	\$6,350.0	\$6,634.1	\$6,979.5
General Sales and Use	3,944.2	4,150.0	4,349.8	4,449.6
Corporation Franchise and Income	834.5	935.0	890.8	887.8
Public Utility	319.4	339.5	344.6	352.6
Excise				
Cigarette	644.3	620.0	615.0	610.0
Liquor and Wine	44.2	45.4	46.4	47.5
Tobacco Products	59.9	64.0	66.5	69.0
Beer	9.6	9.5	9.5	9.5
Insurance Companies	130.7	132.0	133.3	134.6
Miscellaneous	<u>55.8</u>	<u>46.0</u>	<u>49.0</u>	<u>57.0</u>
Total GPR Taxes	\$12,131.7	\$12,691.4	\$13,139.0	\$13,597.1
Change Over Prior Year				
Amount		\$559.7	\$447.6	\$458.1
Percent		4.6%	3.5%	3.5%

Detail may not add precisely to total due to rounding.

Reference Section

VI. REFERENCE SECTION

GLOSSARY OF TERMS AND ABBREVIATIONS

Adjusted Base Year: The legislatively authorized total level of funding in the second year of a biennium for an appropriation, program or agency, which becomes the base and starting point for funding changes in the upcoming budget.

Aids to Individuals and Organizations: State payments made directly to or on behalf of an individual or private organization.

Annual Appropriations: Authorization for expenditures only up to the amount shown in the Chapter 20 appropriations schedule and only for the fiscal year for which they are appropriated. Unused funds in annual appropriations lapse to the fund of origin at the close of each fiscal year.

Base Level Reallocations: A means of transferring existing budgeted dollars from lower to higher priority activities.

Base Year Reconciliation: The documentation of adjustments to agency budgets at the appropriation level throughout the current biennium which have an effect on the base year (the second year of the current biennium).

Biennial Appropriations: Authorization for expenditures for the biennium for which they are appropriated. Dollar amounts shown in the Chapter 20 appropriations schedule represent the most reliable estimates of the amounts which will be expended in each fiscal year. Amounts can be expended in any fashion between the two years of the biennium.

Bond Revenue: Monies resulting from the contracting of public debt as authorized by the Legislature for specific purposes.

Continuing Appropriations: Authorization for expenditures from an appropriation until the appropriation is fully depleted or repealed by subsequent action of the Legislature. The appropriation for any given year consists of the previous fiscal year ending balance together with the new Chapter 20 appropriation authority granted during the current fiscal year.

Fiscal Year (FY): The year between July 1 and the following June 30 which corresponds to the state's budget and accounting period. A fiscal year is usually expressed as FY11 for fiscal year 2010-11, for example.

Full-Time Equivalent (FTE) Position: Designates the number (down to 0.1) of authorized positions affected by an action. A 1.0 FTE position represents full-time authority for 2,080 hours of employment, 0.5 FTE position represents 1,040 hours, etc.

General Purpose Revenue (GPR): Monies consisting of general taxes (sales, income, excise, inheritance, etc.), miscellaneous receipts and revenues collected by state agencies which are paid into the general fund, lose their identity and are then available for appropriation for any purpose by the Legislature.

General Purpose Revenue-Earned (GPR-E): Miscellaneous revenues collected by agencies that are deposited in the general fund and interest earnings on general fund balances.

Lapse: For annual appropriations, any budgeted funds that remain unspent at the end of each fiscal year revert or lapse back to the fund (general fund, transportation fund, conservation fund, etc.) from which they were appropriated. For biennial appropriations, a lapse occurs only in the second fiscal year of each biennium. There is no lapse from continuing appropriations.

Limited Term Employee (LTE): Individuals employed by the state for temporary positions, which are limited by law to 1,044 hours per 26 consecutive pay periods, and are not part of the state's civil service system.

Local Assistance: Appropriations made to or on behalf of units of local government in Wisconsin to help pay costs which would otherwise be borne by local governments.

Mission Statement: The overall purpose of a governmental organization. In many cases specific legislative direction is given to an agency and serves as the principal purpose of the agency.

One-Time Financing: The provision of funds for a cost that will not recur in future years.

Permanent Positions: All positions, classified and unclassified, which are not LTE or project positions and which do not have a termination date. Most position numbers are expressed as full-time equivalent (FTE). This would represent one person working full-time as one FTE position and two persons each working half-time as one FTE position.

Program Goal: A broadly based statement of anticipated results.

Program Revenue – Federal (PR-F): Monies received from the federal government and deposited as program revenues in the general fund.

Program Revenue – Other (PR or PR-O): Monies credited by law to a specific general fund appropriation to finance a particular agency, program or activity. They generally represent monies from user charges such as license and inspection fees, receipts from product sales or reimbursement for the cost of services provided to an individual or organization which is not another state agency.

Program Revenue – Service (PR-S): Monies credited by law to a specific general fund appropriation to finance a particular agency, program or activity when the service is provided to another state agency or the funding is received from another state agency.

Program Structure: The building blocks of an agency's budget are as follows:

Program: A broad category of similar services for an identifiable group or segment of the population for a specific purpose.

Subprogram: A breakdown of a program into units which identify more specific services or a more specific segment of the population.

Program Element: A breakdown of a subprogram into units which further program objectives by contributing to a specific output or group of related outputs described by a service or target group.

Program Summary: The same information as the department summary but at the program and subprogram levels.

Project Positions: A position with a fixed termination date and with a maximum duration of four years.

Segregated Revenue – Federal (SEG-F): Monies received from the federal government and deposited as revenues in a segregated fund.

Segregated Revenue – Local (SEG-L): Monies received from local governments which are used in conjunction with state and/or federal funds on transportation projects with a local component.

Segregated Revenue – Other (SEG or SEG-O): Monies which, by law, are deposited into funds other than the general fund. The funds retain their interest earnings and are available for predesignated purposes.

Segregated Revenue – Service (SEG-S): Monies which are credited by law to a specific segregated fund appropriation to finance a particular agency, program or activity when the service is provided to another state agency.

Standard Budget Adjustments: Technical adjustments to the base which are needed to accurately reflect the current level of funding on an annualized basis.

State Operations: Expenditures which are not local assistance or aids to individuals that fund the administrative operations of state agencies and the University of Wisconsin.

Sum Certain Appropriations: Authorization for expenditures from the indicated source in the specific amounts appropriated in the Chapter 20 schedule.

Sum Sufficient Appropriations: Authorization for expenditures from the indicated source in the amounts necessary to accomplish the purpose specified. Dollar amounts shown in the Chapter 20 appropriation schedule represent the most reliable estimate of the amounts which will be needed; however, they are not controlling.

Turnover: A reduction to the salary budget to reflect the savings realized when positions become vacant and when experienced employees are replaced with those who earn only the minimum salary in their classification.

Unclassified Positions: Permanent positions which are not filled through the civil service and which have no civil service protection.

Appendices

APPENDIX 1

Summary of All Funds Appropriations

Governor's Recommendations – FY12

	<u>FY 11 Base</u>	<u>FY 12 Recommended</u>	<u>Change From Base (Amt)</u>	<u>Change Percent</u>
Administration, Dept.	932,700,800	919,309,500	-13,391,300	-1.4
Aging and Long-Term Care, Board	2,580,700	2,544,800	-35,900	-1.4
Agriculture, Trade, and Consumer	101,666,900	103,628,500	1,961,600	1.9
Arts Board	3,722,400	0	-3,722,400	-100.0
Building Commission	28,425,700	15,709,300	-12,716,400	-44.7
Child Abuse and Neglect Prev.	3,784,800	2,970,700	-814,100	-21.5
Children and Families, Dept.	1,127,210,300	1,256,132,900	128,922,600	11.4
Circuit Courts	95,790,000	90,382,400	-5,407,600	-5.6
Commerce, Dept.	183,228,200	0	-183,228,200	-100.0
Corrections, Dept.	1,299,019,700	1,208,898,200	-90,121,500	-6.9
Court of Appeals	10,162,000	10,016,400	-145,600	-1.4
District Attorneys	44,672,000	46,339,900	1,667,900	3.7
Educational Communications Board	18,718,600	16,949,100	-1,769,500	-9.5
Employee Trust Funds, Dept.	30,993,800	31,901,000	907,200	2.9
Employment Relations Commission	3,125,000	3,198,000	73,000	2.3
Environmental Improvement Program	56,374,800	23,874,100	-32,500,700	-57.7
Financial Institutions, Dept.	17,536,200	17,606,900	70,700	0.4
Fox River Navigational System Authority	125,400	125,400	0	0.0
Government Accountability Bd.	5,158,600	4,718,000	-440,600	-8.5
Governor's Office	4,233,200	4,144,700	-88,500	-2.1
Health and Educational Facilities Authority	0	0	0	0.0
Health Services, Dept.	8,129,035,600	8,778,640,100	649,604,500	8.0
Higher Educational Aids Board	162,813,100	150,087,800	-12,725,300	-7.8
Historical Society	21,574,800	19,879,700	-1,695,100	-7.9
Insurance, Commissioner	103,963,200	103,937,300	-25,900	0.0
Investment Board	30,022,600	28,888,600	-1,134,000	-3.8
Judicial Commission	245,800	358,300	112,500	45.8
Judicial Council	127,600	127,700	100	0.1
Justice, Dept.	94,088,700	88,450,800	-5,637,900	-6.0
Legislature	74,712,600	75,276,800	564,200	0.8
Lieutenant Governor	390,800	393,500	2,700	0.7
Lower Fox River Remediation Authority	0	0	0	0.0
Lower WI State Riverway Board	202,700	202,600	-100	0.0
Medical College of Wisconsin	6,983,700	6,071,000	-912,700	-13.1
Military Affairs, Dept.	81,776,500	79,632,700	-2,143,800	-2.6
Miscellaneous Appropriations	158,692,300	152,506,300	-6,186,000	-3.9
Natural Resources, Dept.	564,717,100	475,667,600	-89,049,500	-15.8
Office of State Employment Relations	5,994,200	5,678,100	-316,100	-5.3
People with Developmental Disabilities, Bd.	1,404,500	1,301,700	-102,800	-7.3
Program Supplements	17,066,300	50,519,300	33,453,000	196.0
Public Defender Board	78,197,800	81,655,600	3,457,800	4.4
Public Instruction, Dept.	6,497,429,400	5,967,623,900	-529,805,500	-8.2
Public Lands	1,556,400	1,547,200	-9,200	-0.6
Public Service Commission	25,052,200	23,981,900	-1,070,300	-4.3
Regulation and Licensing, Dept.	13,746,500	68,190,800	54,444,300	396.1
Revenue, Dept.	180,586,600	173,725,600	-6,861,000	-3.8
Secretary of State	725,700	513,600	-212,100	-29.2
Shared Revenue and Tax Relief	2,397,352,000	2,419,508,600	22,156,600	0.9
State Fair Park Board	18,738,200	18,726,000	-12,200	-0.1
Supreme Court	31,260,400	30,053,700	-1,206,700	-3.9
Technical College System	185,850,300	146,295,300	-39,555,000	-21.3
Tourism, Dept.	13,974,600	16,587,600	2,613,000	18.7
Transportation, Dept.	2,813,000,800	2,694,638,100	-118,362,700	-4.2
Treasurer, State	7,445,700	4,861,100	-2,584,600	-34.7
University of Wisconsin-Madison	0	493,632,200	493,632,200	0.0
UW Hospitals & Clinics Board	153,739,500	0	-153,739,500	-100.0
University of Wisconsin System	5,412,493,400	2,735,197,600	-2,677,295,800	-49.5
Veterans Affairs, Dept.	142,725,600	132,704,000	-10,021,600	-7.0
WHEDA	0	40,709,100	40,709,100	0.0
Wisconsin Economic Development Corporation	0	98,845,500	98,845,500	0.0
Workforce Development, Dept.	<u>349,364,500</u>	<u>335,661,000</u>	<u>-13,703,500</u>	<u>-3.9</u>
TOTALS	31,746,280,800	29,260,728,100	-2,485,552,700	-7.8

APPENDIX 2

Summary of All Funds Appropriations Governor's Recommendation – FY13

	<u>FY 12 Recommended</u>	<u>FY 13 Recommended</u>	<u>Change From FY 12 (Amt)</u>	<u>Change Percent</u>
Administration, Dept.	919,309,500	1,176,391,500	257,082,000	28.0
Aging and Long-Term Care, Board	2,544,800	2,544,800	0	0.0
Agriculture, Trade, and Consumer Protection,	103,628,500	105,926,900	2,298,400	2.2
Arts Board	0	0	0	0.0
Building Commission	15,709,300	50,485,400	34,776,100	221.4
Child Abuse and Neglect Prev.	2,970,700	2,970,700	0	0.0
Children and Families, Dept.	1,256,132,900	1,220,371,800	-35,761,100	-2.8
Circuit Courts	90,382,400	90,481,100	98,700	0.1
Commerce, Dept.	0	0	0	0.0
Corrections, Dept.	1,208,898,200	1,272,775,600	63,877,400	5.3
Court of Appeals	10,016,400	10,016,400	0	0.0
District Attorneys	46,339,900	45,996,500	-343,400	-0.7
Educational Communications Board	16,949,100	19,161,800	2,212,700	13.1
Employee Trust Funds, Dept.	31,901,000	31,139,200	-761,800	-2.4
Employment Relations Commission	3,198,000	3,198,000	0	0.0
Environmental Improvement Program	23,874,100	47,286,000	23,411,900	98.1
Financial Institutions, Dept.	17,606,900	17,649,600	42,700	0.2
Fox River Navigational System Authority	125,400	125,400	0	0.0
Government Accountability Bd.	4,718,000	5,398,200	680,200	14.4
Governor's Office	4,144,700	4,144,700	0	0.0
Health and Educational Facilities Authority	0	0	0	0.0
Health Services, Dept.	8,778,640,100	8,725,655,000	-52,985,100	-0.6
Higher Educational Aids Board	150,087,800	160,712,000	10,624,200	7.1
Historical Society	19,879,700	21,638,900	1,759,200	8.8
Insurance, Commissioner	103,937,300	103,937,300	0	0.0
Investment Board	28,888,600	28,888,600	0	0.0
Judicial Commission	358,300	290,900	-67,400	-18.8
Judicial Council	127,700	127,700	0	0.0
Justice, Dept.	88,450,800	88,370,400	-80,400	-0.1
Legislature	75,276,800	75,278,600	1,800	0.0
Lieutenant Governor	393,500	393,500	0	0.0
Lower Fox River Remediation Authority	0	0	0	0.0
Lower WI State Riverway Board	202,600	202,600	0	0.0
Medical College of Wisconsin	6,071,000	7,938,900	1,867,900	30.8
Military Affairs, Dept.	79,632,700	82,987,200	3,354,500	4.2
Miscellaneous Appropriations	152,506,300	129,475,700	-23,030,600	-15.1
Natural Resources, Dept.	475,667,600	540,989,000	65,321,400	13.7
Office of State Employment Relations	5,678,100	5,643,100	-35,000	-0.6
People with Developmental Disabilities, Bd.	1,301,700	1,301,700	0	0.0
Program Supplements	50,519,300	4,885,300	-45,634,000	-90.3
Public Defender Board	81,655,600	83,370,300	1,714,700	2.1
Public Instruction, Dept.	5,967,623,900	5,985,690,900	18,067,000	0.3
Public Lands	1,547,200	1,547,200	0	0.0
Public Service Commission	23,981,900	23,981,900	0	0.0
Regulation and Licensing, Dept.	68,190,800	68,190,800	0	0.0
Revenue, Dept.	173,725,600	173,489,500	-236,100	-0.1
Secretary of State	513,600	513,600	0	0.0
Shared Revenue and Tax Relief	2,419,508,600	2,365,255,100	-54,253,500	-2.2
State Fair Park Board	18,726,000	21,147,300	2,421,300	12.9
Supreme Court	30,053,700	30,025,000	-28,700	-0.1
Technical College System	146,295,300	146,295,300	0	0.0
Tourism, Dept.	16,587,600	18,931,700	2,344,100	14.1
Transportation, Dept.	2,694,638,100	2,953,783,900	259,145,800	9.6
Treasurer, State	4,861,100	4,861,100	0	0.0
University of Wisconsin-Madison	493,632,200	582,609,500	88,977,300	18.0
UW Hospitals & Clinics Board	0	0	0	0.0
University of Wisconsin System	2,735,197,600	2,830,576,800	95,379,200	3.5
Veterans Affairs, Dept.	132,704,000	139,816,100	7,112,100	5.4
WHEDA	40,709,100	40,709,100	0	0.0
Wisconsin Economic Development Corporation	98,845,500	97,501,400	-1,344,100	-1.4
Workforce Development, Dept.	<u>335,661,000</u>	<u>331,238,100</u>	<u>-4,422,900</u>	<u>-1.3</u>
TOTALS	29,260,728,100	29,984,314,600	723,586,500	2.5

APPENDIX 3

Summary of GPR Appropriations

Governor's Recommendations – FY12

	<u>FY 11 Base</u>	<u>FY 12 Recommended</u>	<u>Change From Base (Amt)</u>	<u>Change Percent</u>
Administration, Dept.	386,207,700	381,345,300	-4,862,400	-1.3
Aging and Long-Term Care, Board	1,016,900	1,077,200	60,300	5.9
Agriculture, Trade, and Consumer Protection,	27,311,200	26,186,800	-1,124,400	-4.1
Arts Board	2,417,700	0	-2,417,700	-100.0
Building Commission	25,283,100	12,502,100	-12,781,000	-50.6
Child Abuse and Neglect Prev.	1,107,600	999,600	-108,000	-9.8
Children and Families, Dept.	346,928,600	495,954,700	149,026,100	43.0
Circuit Courts	95,790,000	90,248,400	-5,541,600	-5.8
Commerce, Dept.	26,824,100	0	-26,824,100	-100.0
Corrections, Dept.	1,145,678,800	1,092,180,900	-53,497,900	-4.7
Court of Appeals	10,162,000	10,016,400	-145,600	-1.4
District Attorneys	42,289,100	41,684,600	-604,500	-1.4
Educational Communications Board	7,833,300	5,797,900	-2,035,400	-26.0
Employee Trust Funds, Dept.	671,600	555,200	-116,400	-17.3
Employment Relations Commission	2,570,200	2,574,800	4,600	0.2
Environmental Improvement Program	47,374,800	15,874,100	-31,500,700	-66.5
Financial Institutions, Dept.	0	0	0	0.0
Fox River Navigational System Authority	0	0	0	0.0
Government Accountability Bd.	2,437,600	2,627,000	189,400	7.8
Governor's Office	4,233,200	4,144,700	-88,500	-2.1
Health and Educational Facilities Authority	0	0	0	0.0
Health Services, Dept.	2,132,224,600	2,645,359,500	513,134,900	24.1
Higher Educational Aids Board	160,144,700	147,285,300	-12,859,400	-8.0
Historical Society	13,498,200	12,178,700	-1,319,500	-9.8
Insurance, Commissioner	0	0	0	0.0
Investment Board	0	0	0	0.0
Judicial Commission	245,800	358,300	112,500	45.8
Judicial Council	127,600	127,700	100	0.1
Justice, Dept.	41,579,800	41,084,300	-495,500	-1.2
Legislature	72,689,600	73,342,500	652,900	0.9
Lieutenant Governor	390,800	393,500	2,700	0.7
Lower Fox River Remediation Authority	0	0	0	0.0
Lower WI State Riverway Board	0	0	0	0.0
Medical College of Wisconsin	6,736,200	5,823,500	-912,700	-13.5
Military Affairs, Dept.	22,960,800	19,542,000	-3,418,800	-14.9
Miscellaneous Appropriations	129,912,900	124,200,700	-5,712,200	-4.4
Natural Resources, Dept.	119,601,700	63,494,300	-56,107,400	-46.9
Office of State Employment Relations	0	0	0	0.0
People with Developmental Disabilities, Bd.	19,800	25,900	6,100	30.8
Program Supplements	14,677,000	50,519,300	35,842,300	244.2
Public Defender Board	76,775,100	80,366,100	3,591,000	4.7
Public Instruction, Dept.	5,487,973,700	5,085,024,800	-402,948,900	-7.3
Public Lands	0	0	0	0.0
Public Service Commission	0	0	0	0.0
Regulation and Licensing, Dept.	0	2,873,100	2,873,100	0.0
Revenue, Dept.	95,648,700	91,107,800	-4,540,900	-4.7
Secretary of State	0	0	0	0.0
Shared Revenue and Tax Relief	2,196,487,400	2,188,182,600	-8,304,800	-0.4
State Fair Park Board	2,363,100	1,196,600	-1,166,500	-49.4
Supreme Court	14,842,100	14,442,700	-399,400	-2.7
Technical College System	144,590,700	108,247,300	-36,343,400	-25.1
Tourism, Dept.	2,876,500	3,502,100	625,600	21.7
Transportation, Dept.	76,374,600	43,066,300	-33,308,300	-43.6
Treasurer, State	0	0	0	0.0
University of Wisconsin-Madison	0	377,696,000	377,696,000	0.0
UW Hospitals & Clinics Board	0	0	0	0.0
University of Wisconsin System	1,149,513,300	574,914,700	-574,598,600	-50.0
Veterans Affairs, Dept.	2,244,500	1,573,300	-671,200	-29.9
WHEDA	0	5,063,000	5,063,000	0.0
Wisconsin Economic Development Corporation	0	18,743,700	18,743,700	0.0
Workforce Development, Dept.	24,946,800	23,921,100	-1,025,700	-4.1
TOTALS	14,165,583,500	13,987,426,400	-178,157,100	-1.3

APPENDIX 4 **Summary of GPR Appropriations** **Governor's Recommendations – FY13**

	<u>FY 12 Recommended</u>	<u>FY 13 Recommended</u>	<u>Change From FY 12 (Amt)</u>	<u>Change Percent</u>
Administration, Dept.	381,345,300	643,082,300	261,737,000	68.6
Aging and Long-Term Care, Board	1,077,200	1,077,200	0	0.0
Agriculture, Trade, and Consumer	26,186,800	27,977,100	1,790,300	6.8
Arts Board	0	0	0	0.0
Building Commission	12,502,100	46,447,900	33,945,800	271.5
Child Abuse and Neglect Prev.	999,600	999,600	0	0.0
Children and Families, Dept.	495,954,700	505,903,400	9,948,700	2.0
Circuit Courts	90,248,400	90,248,400	0	0.0
Commerce, Dept.	0	0	0	0.0
Corrections, Dept.	1,092,180,900	1,155,644,500	63,463,600	5.8
Court of Appeals	10,016,400	10,016,400	0	0.0
District Attorneys	41,684,600	41,684,600	0	0.0
Educational Communications Board	5,797,900	8,010,900	2,213,000	38.2
Employee Trust Funds, Dept.	555,200	460,600	-94,600	-17.0
Employment Relations Commission	2,574,800	2,574,800	0	0.0
Environmental Improvement Program	15,874,100	39,286,000	23,411,900	147.5
Financial Institutions, Dept.	0	0	0	0.0
Fox River Navigational System Authority	0	0	0	0.0
Government Accountability Bd.	2,627,000	2,664,700	37,700	1.4
Governor's Office	4,144,700	4,144,700	0	0.0
Health and Educational Facilities Authority	0	0	0	0.0
Health Services, Dept.	2,645,359,500	2,614,886,100	-30,473,400	-1.2
Higher Educational Aids Board	147,285,300	157,909,500	10,624,200	7.2
Historical Society	12,178,700	13,943,800	1,765,100	14.5
Insurance, Commissioner	0	0	0	0.0
Investment Board	0	0	0	0.0
Judicial Commission	358,300	290,900	-67,400	-18.8
Judicial Council	127,700	127,700	0	0.0
Justice, Dept.	41,084,300	41,113,200	28,900	0.1
Legislature	73,342,500	73,327,500	-15,000	0.0
Lieutenant Governor	393,500	393,500	0	0.0
Lower Fox River Remediation Authority	0	0	0	0.0
Lower WI State Riverway Board	0	0	0	0.0
Medical College of Wisconsin	5,823,500	7,691,400	1,867,900	32.1
Military Affairs, Dept.	19,542,000	23,896,500	4,354,500	22.3
Miscellaneous Appropriations	124,200,700	100,894,300	-23,306,400	-18.8
Natural Resources, Dept.	63,494,300	129,673,300	66,179,000	104.2
Office of State Employment Relations	0	0	0	0.0
People with Developmental Disabilities, Bd.	25,900	25,900	0	0.0
Program Supplements	50,519,300	4,885,300	-45,634,000	-90.3
Public Defender Board	80,366,100	82,080,800	1,714,700	2.1
Public Instruction, Dept.	5,085,024,800	5,120,426,200	35,401,400	0.7
Public Lands	0	0	0	0.0
Public Service Commission	0	0	0	0.0
Regulation and Licensing, Dept.	2,873,100	2,873,100	0	0.0
Revenue, Dept.	91,107,800	91,107,800	0	0.0
Secretary of State	0	0	0	0.0
Shared Revenue and Tax Relief	2,188,182,600	2,131,795,600	-56,387,000	-2.6
State Fair Park Board	1,196,600	3,363,800	2,167,200	181.1
Supreme Court	14,442,700	14,414,000	-28,700	-0.2
Technical College System	108,247,300	108,247,300	0	0.0
Tourism, Dept.	3,502,100	5,846,200	2,344,100	66.9
Transportation, Dept.	43,066,300	268,774,300	225,708,000	524.1
Treasurer, State	0	0	0	0.0
University of Wisconsin-Madison	377,696,000	462,233,100	84,537,100	22.4
UW Hospitals & Clinics Board	0	0	0	0.0
University of Wisconsin System	574,914,700	639,136,400	64,221,700	11.2
Veterans Affairs, Dept.	1,573,300	2,516,200	942,900	59.9
WHEDA	5,063,000	5,063,000	0	0.0
Wisconsin Economic Development Corporation	18,743,700	16,399,600	-2,344,100	-12.5
Workforce Development, Dept.	23,921,100	23,921,100	0	0.0
TOTALS	13,987,426,400	14,727,480,500	740,054,100	5.3

APPENDIX 5 **Summary of All Funds Positions** **Governor's Recommendations – FY12**

	<u>FY 11 Base</u>	<u>FY 12 Recommended</u>	<u>Change From Base (FTE)</u>
Administration, Dept.	1,058.42	983.77	-74.7
Aging and Long-Term Care, Board	35.00	33.00	-2.0
Agriculture, Trade, and Consumer Protection,	599.32	591.39	-7.9
Arts Board	10.00	0.00	-10.0
Building Commission	0.00	0.00	0.0
Child Abuse and Neglect Prev.	7.00	6.00	-1.0
Children and Families, Dept.	692.71	690.05	-2.7
Circuit Courts	527.00	527.00	0.0
Commerce, Dept.	392.85	0.00	-392.9
Corrections, Dept.	10,594.22	10,261.37	-332.9
Court of Appeals	75.50	75.50	0.0
District Attorneys	436.10	423.65	-12.5
Educational Communications Board	62.18	56.68	-5.5
Employee Trust Funds, Dept.	243.20	249.70	6.5
Employment Relations Commission	26.00	25.50	-0.5
Environmental Improvement Program	0.00	0.00	0.0
Financial Institutions, Dept.	135.54	136.54	1.0
Fox River Navigational System Authority	0.00	0.00	0.0
Government Accountability Bd.	17.75	17.75	0.0
Governor's Office	37.25	37.25	0.0
Health and Educational Facilities Authority	0.00	0.00	0.0
Health Services, Dept.	5,574.71	5,686.51	111.8
Higher Educational Aids Board	10.50	11.00	0.5
Historical Society	143.54	125.54	-18.0
Insurance, Commissioner	144.00	143.00	-1.0
Investment Board	124.25	124.25	0.0
Judicial Commission	2.00	2.00	0.0
Judicial Council	1.00	1.00	0.0
Justice, Dept.	595.39	588.99	-6.4
Legislature	777.97	777.97	0.0
Lieutenant Governor	4.00	4.00	0.0
Lower Fox River Remediation Authority	0.00	0.00	0.0
Lower WI State Riverway Board	2.00	2.00	0.0
Medical College of Wisconsin	0.00	0.00	0.0
Military Affairs, Dept.	433.36	417.31	-16.1
Miscellaneous Appropriations	0.00	0.00	0.0
Natural Resources, Dept.	2,709.22	2,639.94	-69.3
Office of State Employment Relations	55.50	48.65	-6.9
People with Developmental Disabilities, Bd.	7.75	6.25	-1.5
Program Supplements	0.00	0.00	0.0
Public Defender Board	580.85	579.85	-1.0
Public Instruction, Dept.	634.29	615.62	-18.7
Public Lands	8.50	8.50	0.0
Public Service Commission	167.00	151.00	-16.0
Regulation and Licensing, Dept.	122.32	379.60	257.3
Revenue, Dept.	1,114.43	1,036.08	-78.4
Secretary of State	7.50	4.00	-3.5
Shared Revenue and Tax Relief	0.00	0.00	0.0
State Fair Park Board	38.90	38.90	0.0
Supreme Court	220.75	219.75	-1.0
Technical College System	82.30	63.00	-19.3
Tourism, Dept.	34.45	35.00	0.5
Transportation, Dept.	3,495.48	3,346.52	-149.0
Treasurer, State	14.70	9.95	-4.8
University of Wisconsin-Madison	0.00	0.00	0.0
UW Hospitals & Clinics Board	2,609.38	0.00	-2,609.4
University of Wisconsin System	33,501.34	16,081.05	-17,420.3
Veterans Affairs, Dept.	1,113.10	1,092.60	-20.5
WHEDA	0.00	0.00	0.0
Wisconsin Economic Development Corporation	0.00	0.00	0.0
Workforce Development, Dept.	<u>1,828.09</u>	<u>1,561.48</u>	<u>-266.6</u>
TOTALS	71,108.61	49,916.46	-21,192.1

APPENDIX 6 **Summary of All Funds Positions** **Governor's Recommendations – FY13**

	<u>FY 12 Recommended</u>	<u>FY 13 Recommended</u>	<u>Change From FY 12 (FTE)</u>
Administration, Dept.	983.77	969.51	-14.3
Aging and Long-Term Care, Board	33.00	33.00	0.0
Agriculture, Trade, and Consumer Protection,	591.39	597.39	6.0
Arts Board	0.00	0.00	0.0
Building Commission	0.00	0.00	0.0
Child Abuse and Neglect Prev.	6.00	6.00	0.0
Children and Families, Dept.	690.05	691.05	1.0
Circuit Courts	527.00	527.00	0.0
Commerce, Dept.	0.00	0.00	0.0
Corrections, Dept.	10,261.37	10,253.37	-8.0
Court of Appeals	75.50	75.50	0.0
District Attorneys	423.65	420.90	-2.8
Educational Communications Board	56.68	56.68	0.0
Employee Trust Funds, Dept.	249.70	249.70	0.0
Employment Relations Commission	25.50	25.50	0.0
Environmental Improvement Program	0.00	0.00	0.0
Financial Institutions, Dept.	136.54	136.54	0.0
Fox River Navigational System Authority	0.00	0.00	0.0
Government Accountability Bd.	17.75	17.75	0.0
Governor's Office	37.25	37.25	0.0
Health and Educational Facilities Authority	0.00	0.00	0.0
Health Services, Dept.	5,686.51	5,677.25	-9.3
Higher Educational Aids Board	11.00	11.00	0.0
Historical Society	125.54	125.54	0.0
Insurance, Commissioner	143.00	143.00	0.0
Investment Board	124.25	124.25	0.0
Judicial Commission	2.00	2.00	0.0
Judicial Council	1.00	1.00	0.0
Justice, Dept.	588.99	590.99	2.0
Legislature	777.97	777.97	0.0
Lieutenant Governor	4.00	4.00	0.0
Lower Fox River Remediation Authority	0.00	0.00	0.0
Lower WI State Riverway Board	2.00	2.00	0.0
Medical College of Wisconsin	0.00	0.00	0.0
Military Affairs, Dept.	417.31	416.31	-1.0
Miscellaneous Appropriations	0.00	0.00	0.0
Natural Resources, Dept.	2,639.94	2,636.94	-3.0
Office of State Employment Relations	48.65	48.65	0.0
People with Developmental Disabilities, Bd.	6.25	6.25	0.0
Program Supplements	0.00	0.00	0.0
Public Defender Board	579.85	579.85	0.0
Public Instruction, Dept.	615.62	610.12	-5.5
Public Lands	8.50	8.50	0.0
Public Service Commission	151.00	151.00	0.0
Regulation and Licensing, Dept.	379.60	379.60	0.0
Revenue, Dept.	1,036.08	1,036.08	0.0
Secretary of State	4.00	4.00	0.0
Shared Revenue and Tax Relief	0.00	0.00	0.0
State Fair Park Board	38.90	39.90	1.0
Supreme Court	219.75	219.75	0.0
Technical College System	63.00	63.00	0.0
Tourism, Dept.	35.00	35.00	0.0
Transportation, Dept.	3,346.52	3,286.52	-60.0
Treasurer, State	9.95	9.95	0.0
University of Wisconsin-Madison	0.00	0.00	0.0
UW Hospitals & Clinics Board	0.00	0.00	0.0
University of Wisconsin System	16,081.05	16,081.05	0.0
Veterans Affairs, Dept.	1,092.60	1,092.60	0.0
WHEDA	0.00	0.00	0.0
Wisconsin Economic Development Corporation	0.00	0.00	0.0
Workforce Development, Dept.	<u>1,561.48</u>	<u>1,522.98</u>	<u>-38.5</u>
TOTALS	49,916.46	49,784.19	-132.3

APPENDIX 7 **Summary of GPR Positions** **Governor's Recommendations – FY12**

	<u>FY 11 Base</u>	<u>FY 12 Recommended</u>	<u>Change From Base (FTE)</u>
Administration, Dept.	91.46	89.58	-1.9
Aging and Long-Term Care, Board	15.53	14.73	-0.8
Agriculture, Trade, and Consumer Protection,	205.50	206.50	1.0
Arts Board	4.00	0.00	-4.0
Building Commission	0.00	0.00	0.0
Child Abuse and Neglect Prev.	1.00	1.00	0.0
Children and Families, Dept.	218.03	217.69	-0.3
Circuit Courts	527.00	527.00	0.0
Commerce, Dept.	59.15	0.00	-59.2
Corrections, Dept.	9,679.57	9,654.22	-25.4
Court of Appeals	75.50	75.50	0.0
District Attorneys	380.90	380.90	0.0
Educational Communications Board	37.44	35.14	-2.3
Employee Trust Funds, Dept.	0.00	0.00	0.0
Employment Relations Commission	21.00	20.50	-0.5
Environmental Improvement Program	0.00	0.00	0.0
Financial Institutions, Dept.	0.00	0.00	0.0
Fox River Navigational System Authority	0.00	0.00	0.0
Government Accountability Bd.	14.30	14.30	0.0
Governor's Office	37.25	37.25	0.0
Health and Educational Facilities Authority	0.00	0.00	0.0
Health Services, Dept.	2,229.72	2,344.29	114.6
Higher Educational Aids Board	10.50	11.00	0.5
Historical Society	106.15	99.15	-7.0
Insurance, Commissioner	0.00	0.00	0.0
Investment Board	0.00	0.00	0.0
Judicial Commission	2.00	2.00	0.0
Judicial Council	1.00	1.00	0.0
Justice, Dept.	367.08	374.08	7.0
Legislature	758.17	758.17	0.0
Lieutenant Governor	4.00	4.00	0.0
Lower Fox River Remediation Authority	0.00	0.00	0.0
Lower WI State Riverway Board	0.00	0.00	0.0
Medical College of Wisconsin	0.00	0.00	0.0
Military Affairs, Dept.	88.82	80.63	-8.2
Miscellaneous Appropriations	0.00	0.00	0.0
Natural Resources, Dept.	300.69	268.10	-32.6
Office of State Employment Relations	0.00	0.00	0.0
People with Developmental Disabilities, Bd.	0.00	0.00	0.0
Program Supplements	0.00	0.00	0.0
Public Defender Board	575.85	574.85	-1.0
Public Instruction, Dept.	261.46	250.25	-11.2
Public Lands	0.00	0.00	0.0
Public Service Commission	0.00	0.00	0.0
Regulation and Licensing, Dept.	0.00	4.00	4.0
Revenue, Dept.	892.73	848.28	-44.5
Secretary of State	0.00	0.00	0.0
Shared Revenue and Tax Relief	0.00	0.00	0.0
State Fair Park Board	0.00	0.00	0.0
Supreme Court	115.50	114.50	-1.0
Technical College System	30.25	23.25	-7.0
Tourism, Dept.	30.45	30.00	-0.4
Transportation, Dept.	0.00	0.00	0.0
Treasurer, State	0.00	0.00	0.0
University of Wisconsin-Madison	0.00	0.00	0.0
UW Hospitals & Clinics Board	0.00	0.00	0.0
University of Wisconsin System	18,483.93	11,447.50	-7,036.4
Veterans Affairs, Dept.	0.00	0.00	0.0
WHEDA	0.00	0.00	0.0
Wisconsin Economic Development Corporation	0.00	0.00	0.0
Workforce Development, Dept.	<u>135.73</u>	<u>126.46</u>	<u>-9.3</u>
TOTALS	35,761.66	28,635.82	-7,125.8

APPENDIX 8 **Summary of GPR Positions** **Governor's Recommendations – FY13**

	<u>FY 12 Recommended</u>	<u>FY 13 Recommended</u>	<u>Change From FY 12 (FTE)</u>
Administration, Dept.	89.58	89.20	-0.4
Aging and Long-Term Care, Board	14.73	14.73	0.0
Agriculture, Trade, and Consumer Protection,	206.50	209.50	3.0
Arts Board	0.00	0.00	0.0
Building Commission	0.00	0.00	0.0
Child Abuse and Neglect Prev.	1.00	1.00	0.0
Children and Families, Dept.	217.69	217.69	0.0
Circuit Courts	527.00	527.00	0.0
Commerce, Dept.	0.00	0.00	0.0
Corrections, Dept.	9,654.22	9,654.22	0.0
Court of Appeals	75.50	75.50	0.0
District Attorneys	380.90	380.90	0.0
Educational Communications Board	35.14	35.14	0.0
Employee Trust Funds, Dept.	0.00	0.00	0.0
Employment Relations Commission	20.50	20.50	0.0
Environmental Improvement Program	0.00	0.00	0.0
Financial Institutions, Dept.	0.00	0.00	0.0
Fox River Navigational System Authority	0.00	0.00	0.0
Government Accountability Bd.	14.30	14.30	0.0
Governor's Office	37.25	37.25	0.0
Health and Educational Facilities Authority	0.00	0.00	0.0
Health Services, Dept.	2,344.29	2,344.29	0.0
Higher Educational Aids Board	11.00	11.00	0.0
Historical Society	99.15	99.15	0.0
Insurance, Commissioner	0.00	0.00	0.0
Investment Board	0.00	0.00	0.0
Judicial Commission	2.00	2.00	0.0
Judicial Council	1.00	1.00	0.0
Justice, Dept.	374.08	377.08	3.0
Legislature	758.17	758.17	0.0
Lieutenant Governor	4.00	4.00	0.0
Lower Fox River Remediation Authority	0.00	0.00	0.0
Lower WI State Riverway Board	0.00	0.00	0.0
Medical College of Wisconsin	0.00	0.00	0.0
Military Affairs, Dept.	80.63	80.63	0.0
Miscellaneous Appropriations	0.00	0.00	0.0
Natural Resources, Dept.	268.10	291.10	23.0
Office of State Employment Relations	0.00	0.00	0.0
People with Developmental Disabilities, Bd.	0.00	0.00	0.0
Program Supplements	0.00	0.00	0.0
Public Defender Board	574.85	574.85	0.0
Public Instruction, Dept.	250.25	250.25	0.0
Public Lands	0.00	0.00	0.0
Public Service Commission	0.00	0.00	0.0
Regulation and Licensing, Dept.	4.00	4.00	0.0
Revenue, Dept.	848.28	848.28	0.0
Secretary of State	0.00	0.00	0.0
Shared Revenue and Tax Relief	0.00	0.00	0.0
State Fair Park Board	0.00	0.00	0.0
Supreme Court	114.50	114.50	0.0
Technical College System	23.25	23.25	0.0
Tourism, Dept.	30.00	30.00	0.0
Transportation, Dept.	0.00	0.00	0.0
Treasurer, State	0.00	0.00	0.0
University of Wisconsin-Madison	0.00	0.00	0.0
UW Hospitals & Clinics Board	0.00	0.00	0.0
University of Wisconsin System	11,447.50	11,447.50	0.0
Veterans Affairs, Dept.	0.00	0.00	0.0
WHEDA	0.00	0.00	0.0
Wisconsin Economic Development Corporation	0.00	0.00	0.0
Workforce Development, Dept.	<u>126.46</u>	<u>126.46</u>	<u>0.0</u>
TOTALS	28,635.82	28,664.44	28.6

ABOUT THE BUDGET DOCUMENTS

The 2011-13 budget appears in four components: Executive Budget, Budget in Brief, Summary of Tax Exemption Devices and Budget Message.

The Executive Budget presents each agency's budget request, accompanied by the Governor's recommendations and initiatives. The Budget in Brief gives an overview of the Governor's revenue and expenditure priorities and serves as the state's fiscal plan. The Governor's Budget Message provides the text of the speech the Governor delivers to the Legislature at the time the budget is introduced, laying out the Governor's budget priorities and plans for the state. These documents were prepared by the Division of Executive Budget and Finance in the Department of Administration.

Summary of Tax Exemption Devices, written by the Division of Research and Policy in the Department of Revenue, explains current Wisconsin tax law provisions that decrease state revenue by exempting certain persons, income, goods or property from the impact of established taxes. It includes data on the fiscal impact of each exemption device for fiscal year 2009-10.

The Executive Budget, Budget in Brief and Budget Message can be found on the Internet at:
www.doa.state.wi.us/executivebudget.

The Summary of Tax Exemption Devices can be found on the Internet at:
<http://www.revenue.wi.gov/report/index.html>.

The state's Publishing Services Center printed and bound the documents.



Department of Administration
Intergovernmental Relations Division

Tom Barrett
Mayor

Sharon Robinson
Director of Administration

Paul Vornholt
Director of Intergovernmental Relations

Summary of Governor Walker's 2011-13 Executive Budget Impact on the City of Milwaukee

- Preliminary Analysis of the Governor's Recommendations-

LOCAL AID AND PROPERTY TAX RELIEF

- **Shared Revenue** – Reduces the municipal appropriations by \$59.5 million or -8.8%. The distribution of the cut favors low population and low value communities. Milwaukee's cut is estimated to be \$10.3 million, or -4.5%.
- **Levy Limit** – For the next 2 years, levy limits will be set at 0% or net new construction, whichever is greater. Our net new construction for 2010 was 0.74%. If debt service payable on debt issued after 2005 declines from one year to the next, that savings must be passed along as a tax levy reduction.
- **Expenditure Restraint Program** - Current law sets our expenditure restraint at CPI or 3%, whichever is greater. The bill changes the restraint to CPI or 0%, whichever is greater.
- **First Dollar Credit** – Increases the average amount that a parcel in the City of Milwaukee will be credited in 2012 compared to 2011 from \$74.18 to \$76.11, a 2.6% increase. In 2013, the average amount a parcel in the City of Milwaukee will be credited is \$75.56, a 1.8% increase compared to 2011.
- **Homestead Tax Credit** – Eliminates the income, maximum income threshold, and property tax indexing provisions and freezes them at 2010 levels. This limits it to those who fall under current guidelines. This will save the state \$8.3 million over the biennium. Since 25% of filers reside in Milwaukee County, it is estimated that county residents could miss out on over \$2 million in tax credits.
- **Computer Exemption Aid** - The budget bill increases funding for computer aid payments from \$77.4 million to \$81.1 million for 2011 and to \$84.6 million for 2012. The state uses this money to reimburse municipalities for tax exempt personal property within in the community, such as computers. Milwaukee received \$3.4 million from this account in 2010. It is unclear whether the city will benefit from this increase.
- **User Charges/Special Assessments** – No changes were made to municipal ability to assess user charges or special assessments.

- **Payments for Municipal Services** – This program reimburses municipalities for services provided to tax-exempt state property. The budget reduces the appropriation by 10%, which would reduce Milwaukee’s \$1.9 million payment by about \$190,000.

EDUCATION AND LIBRARIES

- **Milwaukee Public Schools Aid** – Reduces Equalization Aid by \$750 million over the biennium (8.4% in 11-12/7.7% in 12-13). Districts are guaranteed 90% of their prior-year payment. Combined with categorical aid cuts, MPS anticipates it will lose \$74 million next school year.
- **Milwaukee Parental Choice Program**– Eliminates the enrollment cap, phases out income limits, and expands the program to schools in Milwaukee County. Retains the city residency requirement. Allows schools to charge the tuition differential to a pupil whose family income exceeds 325% of the federal poverty line.
- **School Choice Funding Flaw** – Provides no further relief from the funding flaw. This year, the taxpayer impact is estimated to be \$36.5 million or \$166 for the average homeowner. The expansion of the program will increase the funding flaw impact on Milwaukee taxpayers.
- **High Poverty Aid** – Fully funds the High Poverty Aid appropriation. The payment made to MPS to help offset the School Choice Funding Flaw was about \$9.4 million this year.
- **Library System Aid** - Reduces library system aid by 10%, which will likely reduce state funding for the Milwaukee County Federated Library System (MCFLS) by \$297,400 in FY 2012. The Milwaukee Public Library serves as the MCFLS resource library and has a cataloging contract with MCFLS. Agreements with MCFLS dedicate 24.5% of state aid received by MCFLS to these contracts with MPL. A reduction in state aid to MCFLS will result in a loss of funding to MPL.
- **Milwaukee Public Library Service Contracts** - Reduces state funding for public library service contracts by 10%, which could reduce support for the Milwaukee Public Library’s Interlibrary Loan Service and the Talking Book and Braille Library contracts. The State DPI will determine later how to distribute the impact of this cut.
- **Charter Schools** – Expands the charter program to the entire state. Allows any 4-year University of Wisconsin institution to become a chartering authority.
- **Library MOE** - Repeals the maintenance of effort requirement for municipal, county or joint public libraries as a condition of participating in a public library system. The City of Milwaukee will not have to maintain annual local expenditures for the Milwaukee Public Library at the average of the prior three years as a condition for being a member of the Milwaukee County Federated Library System.

- **UW-Milwaukee** – Directs the UW Board of Regents to appropriate \$250,000 for the study and planning of creating an independent public authority model to separate UW-Milwaukee from the UW System administration.

PUBLIC SAFETY AND JUSTICE

- **Fire and Police MOE** - Maintains the Maintenance of Effort provision for Police and Fire Departments that was created in the 2009-11 State Budget. Also maintains the Police and Fire Protection Fee that was linked to the MOE.
- **Community Policing Grants** – Reduces this grant for targeted community policing by 10% from \$247,500 to \$222,700. The Milwaukee Police Department was originally funded with an earmark of \$750,000.
- **Milwaukee County Courts** – Increases reimbursements to Milwaukee County for clerks staffing the Felony Drug Crime Courts, Violent Crime Courts and Operation Ceasefire prosecutions.
- **DNA Testing** – Increases funding and position authority to address increasing caseloads for DNA analysis in the state crime laboratories to prevent backlogs.
- **Internet Crimes Against Children** - Provides additional resources focused on investigating Internet crimes against children and protecting children from on-line predators.
- **Early Release Provisions** – Repeals the early release provisions that were included in the 2009-11 State Budget. These provisions allowed offenders to earn time off for good behavior, allowed judges to reduce sentences, and allowed the Department of Corrections to discharge non-violent offenders from extended supervision after two years or discharge an offender from probation after serving half their sentence.
- **Vehicle Registration Stickers** – Eliminates vehicle registration decals, as requested by the Milwaukee Police Department in the city's legislative package. License plate and registration decal theft have accounted for about 25% of all reported thefts in recent years.

TRANSPORTATION

- **General Transportation Aid** - Reduces the GTA appropriation by 10% with a distribution that favors less populous communities. The maximum reduction is capped at 15%. Milwaukee's 2010 payment was \$27.4 million, so, the cut will be in the range of \$2.7 million to \$4.1 million.
- **Bicycle and Pedestrian Facility Funding** – Eliminates \$2.5 million per year in state funding for bicycle/pedestrian facility projects. These projects will continue to be funded

at a reduced level with available federal dollars for Transportation Enhancements and Congestion Mitigation.

- **Transit Aids** - Reduces transit aids by 10% from \$68,583,200 in calendar year 2011 (authorized in 2009-11 budget) to \$61,724,900 in calendar year 2012 and 2013. A loss of \$6,858,300 beginning in 2012. Moves transit aids from the transportation fund to the general fund beginning in FY13.
- **Other Local Aids** – No changes were noted in ongoing general or miscellaneous state transportation aids.
- **RTA** - Eliminates \$100 million in general obligation bonding authority for which SERTA was the only eligible applicant. Requires SERTA to hold a referendum in Kenosha, Racine and Milwaukee before it can impose the rental car transaction fee.
- **Major Highway Projects** – Accelerates the Zoo Interchange reconstruction with \$225 million in funding over the biennium. Increases total Highway Program funding by 14.7% from the last biennium.
- **Rail Investments** – Fully funds Wisconsin's share of the increased operating costs for the Amtrak Hiawatha line at \$4.3 million.
- **Harbor Assistance Program** – Includes \$12.7 million of increased general bonding authority for harbor projects. The State did not offer assistance in 2010 or in 2011. The Port of Milwaukee has several major projects, totaling \$7 million, in need of Harbor Assistance funds.

ECONOMIC AND WORKFORCE DEVELOPMENT

- **Summer Youth Jobs Program** –Appropriates \$422,250 annually to Milwaukee's Summer Youth Job program from Department of Workforce Development. This funding is a reduction of \$46,800 (10%). This funding originally was created at \$500,000.
- **Wisconsin Economic Development Corporation** - Eliminates all grant and loan programs in the Department of Commerce and gives the WEDC Board the authority to create new programs. Transfers Commerce's previous responsibilities for tax credit program certification to the WEDC. The Department of City Development will now have to work with the new department to facilitate state economic investment in the Milwaukee area.
- **Department of Safety and Professional Services (DSPS)** - Renames the Department of Regulation and Licensing as DSPS. Transfers funding and position authority from the Department of Commerce Division of Safety and Buildings, Division of Environmental and Regulatory Services, and funding and position authority related to the certification of woman, minority, and disabled veteran owned businesses to the new department. This transfer includes several funds for the removal and remediation of petroleum storage tanks. DCD and DNS will now have one central department in which to coordinate regulatory issues with the state.

- **Housing Programs/WHEDA** - Various housing assistance programs and \$40.7 million in funding will be transferred from the Department of Commerce to WHEDA. This will consolidate all of the state's housing programs in one agency, including all U.S. HUD programs such as NSP, CDBG and HOME grants. The Department of City Development and our Community Development Grants Administration will now have to coordinate with WHEDA regarding state housing programs that involve the City or its residents.
- **Brownfield Grants** –Transfers the Brownfield program from DNR to the WEDC, to be combined with Brownfield funding from the Department of Commerce. Funding for the program remains intact with an appropriation of over \$2 million per year.
- **Economic Development Programs** – Creates an economic development fund from the former recycling and renewal energy fund to be partially funded with \$4 per ton of the recycling tipping fee. Directs WEDC to grant up to \$100,000 to regional economic development agencies to fund marketing activities.
- **Tax Incremental Finance** – Makes no changes to tax incremental finance provisions.

ENVIRONMENT AND NATURAL RESOURCES

- **Tipping Fees** – Tipping fees are unchanged in this budget. State imposed fees are currently set at \$13 per ton and were increased by \$7.10 per ton in the 2009-11 State Budget. Total state imposed tipping fees cost the city approximately \$3.3 million in 2010.
- **Recycling Mandate/Grants** – Eliminates recycling mandates and recycling grants to municipalities. If the City of Milwaukee continues to operate its recycling program as it currently does, an additional \$3.3 million will be shifted to the solid waste fee. This amounts to a \$17 per residential unit solid waste fee increase.
- **Water Quality** – Provides \$5 million in bonding authority for contaminated sediment removal in the Great Lakes or its tributaries.
- **NR 151**– Directs the Department of Natural Resources to repeal and recreate NR 151, a rule that would require municipalities to reduce total suspended solids in storm water by 40% by 2013. The rule adversely affected Milwaukee in that it did not take into account Milwaukee's combined sewer system in its standards. In addition, the rule may have been prohibitively expensive to implement for many municipalities. Dictates that if the new rule establishes a deadline for implementing a storm water management program, the deadline does not apply to a municipality that determines that compliance with the deadline would have an adverse economic impact.
- **Clean Water Fund** – Increases the revenue bonding authority for the Clean Water Fund Program by \$353,000,000. Also increases the subsidized loan interest rate from 60% to 80% of the market interest rate. This will increase the city's cost to use the program. The city used about \$32 million in Clean Water Fund financing in each of the past 2 years. MMSD also relies heavily on this program.

HEALTH AND HUMAN SERVICES

- **Medicaid Reimbursements** – Eliminates family planning related Medicaid payments for men between the ages of 15 and 44. This will decrease the amount of reimbursements the City receives from clients seeking these services at city health centers. The Medicaid changes could increase the number of people seeking treatment at city health centers due to lack of insurance and reduce related Medicaid reimbursements for those services.
- **Medicaid Eligibility** – Proposes to change the frequency of reviewing eligibility criteria. If the federal government does not allow the state to review eligibility criteria more often (a change sought through the budget adjustment bill), higher income adults who are not pregnant or disabled would likely lose Medicaid coverage.
- **Medicaid Administration** – The Medical Assistance and BadgerCare programs will face sweeping changes if DHS is allowed to make changes through an emergency rule process without legislative approval (as proposed in the Budget Adjustment Bill). Changes to the scope of services and reimbursement policies can be anticipated.
- **Wisconsin Works** – Reforms the W-2 program to restore the requirement that recipients work at least 28-30 hours per week and reduces monthly benefit checks by \$20.
- **Child Care Subsidies**– Authorizes a tiered reimbursement system for child care providers based on quality ratings. Implements various other cost-saving measures that will increase copayments for those receiving subsidies, reducing income eligibility levels, and reducing provider reimbursement levels.

MISCELLANEOUS

- **Teacher Residency** – Prohibits Milwaukee Public Schools from imposing a residency requirement on its 5,474 teachers.
- **Disaster Aid** – Provides \$1 million in the first year of the biennium to provide financial assistance to municipalities for damages and costs incurred as a result of a major disaster if federal financial assistance is not available. The funding for this will come from the petroleum inspection fund. The raid of the petroleum inspection fund is not expected to have any impact on the City as we do not receive any assistance from this fund.
- **Earned Income Tax Credit** - Adjusts the state's percentage of the federal earned income tax credit, eliminating about \$3 million or 16.6% of the tax credits City of Milwaukee residents receive. Households with 1 child will see a 25% increase in their EITC, about \$20 on average, while households with 2 children will see a decrease in their EITC of about 43%, or about \$200 on average. Households with 3 or more children will see a 7% decrease or about \$100 on average.

NOTICES SENT TO FOR FILE 101360:

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