



Legislative Fiscal Bureau

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February 14, 2011

TO: Representative Peter Barca
Room 201 West, State Capitol

FROM: Bob Lang, Director

SUBJECT: Non-Fiscal Policy Items Contained Within the Budget Adjustment Bill (SS SB 11)

This office has prepared the attached list of items that are contained within SS SB 11 and SS AB ___ (LRB 1426/1). The list is comprised of items that are primarily of a non-fiscal policy nature. Included are the page and item number showing where the provisions are described in the Legislative Fiscal Bureau's February 14, 2011, summary of the bills.

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

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

There is one item included on the non-fiscal list that should be noted. That item is entitled, "Medical Assistance -- Study and Implementation of Program Changes." The provision could potentially give broad authority to the Department of Health Services, with approval of the Joint Committee on Finance, to significantly modify the medical assistance program and supersede most statutory provisions regarding the program. While the provision may result in significant savings in the future, it has been included on the list because it would remove the entire Legislature from determining substantial elements of the medical assistance program.

Also note that the study of potential modifications of the Wisconsin Retirement System (WRS) and state employee health insurance options (Page 32, #5) was not included on the non-fiscal policy list. Under the bill, a GPR sum sufficient appropriation is created in the Department of Employee Trust Funds to conduct the legislatively directed studies. This appropriation is being provided because EFT cannot utilize public employee trust fund monies for studies directed by the Legislature. As a result, despite that fact that studies are typically included on the non-fiscal policy list, this particular item was excluded.

BL/sas
Attachment

NON-FISCAL POLICY ITEMS

CHILDREN AND FAMILIES

- Collective Bargaining for Day Care Providers (Page 4, #2)

HEALTH SERVICES

- Medical Assistance -- Study and Implementation of Program Changes (Page 8, #1)
- Wisconsin Quality Home Care Authority (Page 17, #6)

STATE CIVIL SERVICE SYSTEM

- Replacement of Classified Positions with Unclassified Positions (Page 23, #1)
- Transfer of Career Executive Employees (Page 26, #2)
- Discharge of State Employees (Page 26, #3)

WISCONSIN RETIREMENT SYSTEM AND PUBLIC SECTOR HEALTH INSURANCE BENEFITS

- Group Insurance Board Membership Requirement (Page 36, #11)

COLLECTIVE BARGAINING AND EMPLOYMENT RELATIONS PROVISIONS

- Public Employee Collective Bargaining Modifications (Page 36, #1)
- Repeal Collective Bargaining Rights for University of Wisconsin System Faculty and Academic Staff (Page 44, #2)