



## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873  
Email: [fiscal.bureau@legis.wisconsin.gov](mailto:fiscal.bureau@legis.wisconsin.gov) • Website: <http://legis.wisconsin.gov/lfb>

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Joint Committee on Finance

Paper #488

### Wisconsin Environmental Education Board (UW System)

[LFB 2015-17 Budget Summary: Page 461, #10]

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#### CURRENT LAW

The Wisconsin Environmental Education Board (WEEB) is attached to the UW System and consists of the following members: (a) the Superintendent of Public Instruction; (b) the Secretary of the Department of Natural Resources; (c) the UW System President; (d) the President of the Wisconsin Technical College System; (e) two Senators and two Representatives, one each from the majority and minority parties; (f) a representative of elementary and secondary school environmental educators; (g) a representative of conservation and environmental organizations; (h) a representative of business and industry; (i) a representative of agriculture; (j) a representative of labor; (k) a representative of the faculty of public and private higher education institutions; (L) a representative of nature centers, zoos, museums, and other nonformal environmental educational organizations; (m) a representative of forestry; and (n) a representative of energy industry. The members described in (a) through (d) may appoint designees to serve on the WEEB Board. The members in (f) through (n) are appointed by the UW System President.

WEEB awards grants to corporations and public agencies for the development, dissemination and presentation of environmental education programs. Funding for these grants is provided through two appropriations, one from the environmental fund and one from the forestry account of the conservation fund. Base level funding for the appropriation from the environmental fund is \$130,500; base level funding for the appropriation from the forestry account of the conservation fund is \$200,000. WEEB also makes grants from moneys provided through private donations.

In addition, WEEB consults with the Superintendent of Public Instruction to identify needs

and priorities for environmental education in public schools and consults with other state agencies to identify needs and establish priorities for environmental education.

## **GOVERNOR**

Eliminate \$130,500 annually for environmental education grants from the environmental fund and delete the appropriation for that purpose on July 1, 2016. In addition, delete \$200,000 in 2016-17 as well as the appropriation for environmental education grants from the conservation fund.

## **DISCUSSION POINTS**

1. WEEB was created by 1989 Act 299 and was initially attached to the Department of Public Instruction. Under 1997 Act 27, WEEB was transferred to the UW System. WEEB is currently located in the College of Natural Resources at UW-Stevens Point. In 2013-14, WEEB's expenditures totaled \$327,500. This amount includes grant disbursements, salary and fringe benefits for a 0.75 GPR senior administrative program specialist position, and additional administrative costs. In 2014, WEEB awarded 41 grants totaling \$309,200. Most grants are for 18 months which means that expenditures occur over two fiscal years.

2. The portion of WEEB's funding that comes from the environmental management account of the environmental fund is generated by a surcharge on environmental fines. Under current law, the surcharge is equal to 10% of fines for violations committed before July 1, 2009, and 20% of fines for violations committed on or after July 1, 2009. WEEB receives 50% of the surcharge revenue for fines committed prior to July 1, 2009, and 70% of the surcharge revenue for fines committed on or after July 1, 2009, with the remainder of the surcharge being deposited in the environmental management account and used for other programs funded through that account. The funding WEEB receives from the environmental management account can be used to fund grants related to environmental education.

3. If the Committee wishes to continue to provide funds generated by the environmental surcharge to WEEB, the Committee could modify the Governor's budget to continue to provide funds for that purpose from the environmental management account of the environmental fund to the UW System. A separate budget paper provides a general overview of the environmental management account, the estimated condition of the account, and expenditure changes made under the bill appropriations funded from the account. As shown in that paper, it is estimated that the account will have an unallocated balance that would be sufficient to provide \$130,500 to WEEB in each year of the 2015-17 biennium.

4. WEEB also receives \$200,000 annually from the forestry account of the conservation fund. These funds may only be used for environmental education grants related to forestry. The primary source of funds for the forestry account is a statewide tax (forestry mill tax) on property of 16.97¢ per \$1,000 of value. Other revenues include state forest admission and camping fees and timber harvests. If the Committee wishes to continue to provide funds from the forestry account of the conservation fund to WEEB in 2016-17, it is estimated that there will be sufficient funding in

that account to do so. If the Committee wishes to eliminate funding for WEEB from the environmental management account as proposed by the Governor and instead provide funding for WEEB entirely from the forestry account of the conservation fund, it is estimated that there would be sufficient funding in the forestry account to fund WEEB at its current level in both years of the biennium. Under this alternative, the Committee would increase the amount of funding provided to WEEB from the forestry account in 2015-16 by \$130,500 and provide \$330,500 for WEEB from the forestry account in 2016-17.

5. However, under current law, funds from the forestry account may only be used to support environmental education grants related to forestry whereas funds from the environmental management account may be used to support environmental education grants on a broader range of topics. If the Committee elects to replace WEEB funding from the environmental management account with funds from the forestry account, the Committee may wish to modify current law to permit forestry account funds to be used for education grants related to forestry and for education grants related to other environmental education topics.

6. The Governor's budget bill would delete all of the UW System's program revenue, federal revenue, and segregated revenue appropriations on July 1, 2016. Beginning on that date, the proposed UW System Authority would have two appropriations: one GPR general program operations appropriation (referred to as the "block grant") and one GPR debt service appropriation. The deletion of the UW System's PR, FED, and SEG appropriations is part of the Governor's proposal to convert the UW System from a state agency to a public authority. However, statutes do not prohibit public authorities from having PR, FED, and SEG appropriations. As an example, the Legislature has provided funding from the environmental fund, the agrichemical management fund, and the petroleum inspection fund to the Wisconsin Housing and Economic Development Authority (WHEDA) through segregated fund appropriations under WHEDA in past biennia. If the Committee wishes to continue to provide funds to WEEB from the environmental management account of the environmental fund, the forestry account of the conservation fund, or both, the Committee could restore the appropriation or appropriations from those accounts for WEEB.

7. If the Committee wishes to continue to provide funds to WEEB from the environmental management account of the environmental fund, the forestry account of the conservation fund, or both, but does not want to create segregated appropriations under the UW System Authority, it could create one or more appropriations under the Department of Natural Resources (DNR) directing DNR to transfer funds to the UW System Authority. Under current law, there are a number of examples where an agency is directed to provide funds to the UW System where there is not a corresponding appropriation under the UW System for the receipt of those funds. For example, DNR is currently required to allocate \$500,000 annually from its appropriation for watershed-nonpoint source contracts for contracts with the UW-Extension. The source of these funds is the environmental fund. There is not a corresponding segregated fund appropriation under the UW System for nonpoint source contracts with DNR.

8. In addition to eliminating the funding for WEEB, the bill would also delete current law creating WEEB and all other statutory language related to WEEB. In creating the proposed UW System Authority, the Governor's budget bill deletes most of the current law language in the chapter

establishing the UW System. By eliminating language requiring or permitting the Board of Regents to take a specific action or specific actions, it could be argued that the Governor's bill increases the Regents' authority to determine how best to use the resources available to them to accomplish the UW System's mission of instruction, research, and public service.

9. However, if the Committee wishes to ensure that WEEB continues to exist, the Committee may elect to restore the language deleted by the Governor. If the Committee elects to provide funding for WEEB, statutory language would direct the Board of Regents to use the funding provided for that purpose.

10. If the Committee adopts the Governor's recommendations and eliminates the funding and statutory language related to WEEB, the Board of Regents or the Chancellor of the UW-Stevens Point, where WEEB staff is located, could opt to continue those programs using state GPR or other sources of funds available to the Board or to the Chancellor. However, given the proposed \$300 million GPR base budget reduction and resident undergraduate tuition freeze, the Board of Regents and the Chancellor may be limited in their ability to reallocate funds to support WEEB. At this time, the Board and the Chancellor have not indicated whether they would continue to support WEEB if the Legislature deletes the funding provided for WEEB under current law.

## ALTERNATIVES

### A. Funding

1. Approve the Governor's recommendation.
2. Modify the Governor's recommendation to restore the funding for WEEB from:
  - a. The environmental management account of the environmental fund (\$130,500 annually).

<b>ALT A2a. Change to Bill</b>	
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SEG	\$261,000
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- b. The forestry account of the conservation fund (\$200,000 in 2016-17).

<b>ALT A2b. Change to Bill</b>	
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SEG	\$200,000
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3. Modify the Governor's recommendation to provide \$330,500 annually from the forestry account of the conservation fund for WEEB. This would be an increase of \$130,500 in 2015-16 and \$330,500 in 2016-17 compared to the Governor's budget bill. In addition, modify current law to permit forestry account funds to be used for education grants related to forestry and

for education grants related to other environmental education topics.

<b>ALT A3</b>	<b>Change to Bill</b>
SEG	\$461,000

**B. Appropriations**

1. If the Committee adopts alternatives A2a., A2b., or A3, modify the bill as follows:
  - a. Restore the corresponding segregated fund appropriation or appropriations under the UW System.
  - b. Create a segregated fund appropriation or appropriations under the DNR directing DNR to transfer funds to the UW System for WEEB.

**C. Statutory Language Related to WEEB**

1. Approve the Governor's recommendation.
2. Delete provision. This alternative would restore the language creating and related to WEEB. If funding is provided through an appropriation under the UW System (alternatives A2a., A2b., or A3 and B1a.), the appropriation language would be restored as well.

Prepared by: Emily Pope