

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/18/99

Received By: mdsida

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Rindfleisch

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Alt. Drafters: olsenje

Subject: Correctional System - prisons
Drunk Driving - penalties

Extra Copies: rpn

Pre Topic:

ARC:.....Rindfleisch - AM57

Topic:

Eliminate preconstruction enumeration requirement for privately built prisons; delete reporting requirement regarding out-of-state transfers; prohibit sentence of probation for certain OWI offenses

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mdsida 06/22/99	gilfokm 06/22/99	martykr 06/23/99	_____	ismith 06/23/99		

FE Sent For:

<END>

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/1	mdsida	6-22 Kmj	Kmj 6/22	Kf 6 Kmj 22			

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<END>

To Be Drafted

rec'd
6/18

Agency	Corrections
ARC Analyst	Kelly Rindfleisch

Amendments#	57
LRB#	
Tax Cut	<input type="checkbox"/>

Summary

The amendment makes modifications to the Corrections program:

NGD
JED

1) Private Prisons

Modify the provisions adopted in JFC Motion 474 (Stanley Correctional Facility and Regulation of Private Prison Construction) concerning the requirements for a private person to commence construction of a correctional facility or commence conversion of an existing building, structure or facility into a correctional facility by deleting section b. in Motion 474 and substituting the following: "b. Specify that no private person may commence construction of a correctional facility or commence conversion of an existing building, structure or facility into a correctional facility unless the Building Commission has authorized the lease or acquisition of the building, structure or facility by the state or has approved construction or conversion of the building, structure or facility. Specify that buildings, structures or facilities that are constructed or converted under a contract with and for the use by a county, a group of counties, the United States or a federally recognized American Indian tribe or band are not subject to the provision.

NGD

2) Eliminate the Report on Out-of-State Inmate Transfers requirement included in Motion 423.

JED

3) Eliminate requirement for probation for fourth or subsequent Operating While Intoxicated (OWI) offenses.

While the Joint Committee on Finance approved a motion (#422) that permits courts to place a person who is convicted of a fourth or subsequent OWI on probation, the committee failed to provide funding for treatment of these offenders. Based upon 1997 statistics, such costs are estimated at \$6,242,400 for the biennium.

Fiscal Impact

None

Statement of Intent

Department of Corrections. The amendment makes modifications to the Corrections program.

To Be Drafted

ARC
rec'd 6/22
no
changes

Agency

Amendment#

ARC Analyst

LRB#

Tax Cut

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Controls

Request#

Monday, June 21, 1999

88 ID:

Senator Jauch
Representative Kaufert

BUILDING PROGRAM/CORRECTIONS -- ADULT INSTITUTIONS

Stanley Correctional Facility and Regulation of Private Prison Construction
[Paper #247 Substitute Alternative]

Motion:

Move to amend the bill as follows:

a. Enumerate a project in the 1999-01 state building program under the Department of Corrections titled "Corrections Facilities Expansion" at the cost of \$63,000,000. Provide \$58,000,000 in general fund supported borrowing and \$5,000,000 in Department of Corrections grant funds to fund the project to allow for the lease or purchase of the Stanley facility and the construction of up to four regional probation and parole hold facilities.

b. ~~Specify that no private person may commence construction of a correctional facility or commence conversion of an existing building, structure or facility into a correctional facility unless all of the following requirements are met: (1) the Building Commission has authorized the lease or acquisition of the building, structure or facility by the state upon the completion of the construction or conversion; and (2) the building, structure or facility is enumerated in the authorized state building program.~~ Specify that buildings, structures or facilities that are constructed or converted under a contract with and for the use by a county, a group of counties, the United States or a federally recognized American Indian tribe or band are not subject to the provision. *or has*

c. Define "correctional facility" as a prison, jail, house of correction or lockup facility. Exclude from the definition an institution or facility or a portion of an institution or facility that is used solely to confine juveniles alleged or found to be delinquent.

d. Specify that the Building Commission may not lease or acquire a building, structure or facility for the purpose of confining persons serving a sentence of imprisonment to the Wisconsin state prisons unless the person who undertakes construction or conversion of the building, facility or structure has met the requirements identified in item b. above.

e. Specify that the Building Commission may not authorize the acquisition or leasing of any building, structure or facility, or portion thereof, for initial occupancy by Corrections for the purpose of confining persons serving a sentence of imprisonment unless the Department of Workforce Development determines that each employe working on the building, structure or facility who would have been entitled to receive the prevailing wage rate that was in effect for the employe's trade or occupation at the time the building, structure or facility was constructed and

6/21

P/c to Kelly - 7-0902 left msg

P/c from Kelly

No intent to change report of that
to prison be built w/ prevailing wage report



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0737/1
MGD&JEO: King

ARC:.....Rindfleisch - AM57 Eliminate pre^fconstruction enumeration requirement for privately built prisons; delete reporting requirement regarding out-of-state transfers; prohibit sentence of probation for certain OWI offenses. *de*

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

*RWP:
Fix Request
sheet.*

1 At the locations indicated, amend the substitute amendment as follows:

2 ✓ 1. Page 415, line 22: delete that line and substitute "structure or facility, or
3 portion thereof, under s. 301.19 (2) (a) or approve the construction or conversion of
4 any building, structure or facility under s. 301.19 (2) (a) for initial occupancy".

5 ✓ 2. Page 1318, line 3: delete that line and substitute "conversion or has
6 approved the construction or conversion of the building, structure or facility".

7 ✓ 3. Page 1318, line 4: delete lines 4 and 5.

1 → **5.** Page 1508, line 13: delete the material beginning with that line and ending
2 with page 1509, line 22.

3 ✓ **6.** Page 1604, line 22: delete lines 22 to 25.

4 (END)

Page 1445, line 15:

✓ #. { Delete the material beginning with
that line and ending with page
1446, line 18.

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