

6/24/99 10:02:48 AM

Page 1

1999 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-AB133)**

Received: 06/20/99

Received By: **olsenje**Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus**By/Representing: **Kratochwill**This file may be shown to any legislator: **NO**Drafter: **olsenje**

May Contact:

Alt. Drafters:

Subject: **Correctional System - parole
Correctional System - probation**Extra Copies: **MGD****Pre Topic:**

ARC:.....Kratochwill - Am. # 67.

Topic:

Collection of supervision fees by DOC

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	olsenje 06/21/99	chanaman 06/21/99	jfrantze 06/21/99	_____	lrb_docadmin 06/21/99		
/2	olsenje 06/23/99	chanaman 06/23/99	haugeca 06/23/99	_____	lrb_docadmin 06/23/99		
/3	olsenje 06/23/99	ygeller 06/23/99	mclark 06/24/99	_____	lrb_docadmin 06/24/99		

FE Sent For:

1999 DRAFTING REQUEST

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/2	olsenje 06/23/99	chanaman 06/23/99	haugeca 06/23/99	_____	lrb_docadmin 06/23/99		

FE Sent For:

13 6/23 jlg mrc 6/23
mrc km 6/24
<END>

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/1	olsenje 06/21/99	chanaman 06/21/99	jfrantze 06/21/99	_____	lrb_docadmin 06/21/99		
FE Sent For:		cmh 6/23 /2	CH 6-23	CH IS 6-23			<END>

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/1	olsenje	cm H 6/21	Jb 6/21	Jb 6/21			

FE Sent For:

1

<END>

To Be Drafted

Rec'd
6/18

Agency Department of Corrections

Amendment# 67

ARC Analyst ?

LRB# 50769

Kratochwill

Tax Cut

Summary

Currently, Corrections requires \$30 per month from probation/parole clients to pay for the costs of the services they receive from the Department. The statute includes no provision compelling payment until after the sentence has been fulfilled and the client is no longer under the control of the agency. At that point, the case can be referred to the Attorney General for civil action.

Potential collections, if everyone paid (some are exempt from all or part due to lack of ability to pay, student status or other reasons) collections for the biennium equal \$21,375,000 and \$22,636,800 (based on average populations of 59,375 in year one and 62,880 in year two). It is unclear how much of this could be collected because of the significant exemptions. But, it should clearly be over the \$4.2 million per year budgeted.

Fiscal Impact

A conservative estimate would be increased collections of \$6-10 million per year less the cost of enforcement. Fiscal includes \$2 million PR at DOC. Use these monies to fund the \$100,000 amendment [General Government #182] and Goetsch's DOC- AODA amendment [Justice #223]

Statement of Intent

Amend Chapter 304.074 to enforce collection of the Reimbursement Fee for Persons on Probation, Parole and Extended Supervision while those individuals are still under the authority of Corrections. It is expected that the threat of enforcement actions will greatly increase collections with little need for actual enforcement.

Request# 3636

Friday, June 18, 1999



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0769/1
JEO:.....
cmm

Soon *D. Nabe*

ARC:.....Kratochwill – Am. # 67, Collection of supervision fees by DOC
FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION
LFB AMENDMENT
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 1. Page 1328, line 2: after that line insert:

3 “SECTION 2718yh. 304.074 (2) of the statutes is amended to read:

4 304.074 (2) ~~Beginning on January 1, 1996, the~~ The department shall charge
5 a fee to probationers, parolees and persons on extended supervision to partially
6 reimburse the department for the costs of providing supervision and services. The
7 department shall set varying rates for probationers, parolees or persons on extended
8 supervision based on ability to pay and with the goal of ~~receiving~~ collecting the
9 equivalent of at least \$1 per day, if appropriate, from each probationer, parolee and
10 person on extended supervision. The department shall not charge a fee while the
11 probationer, parolee or person on extended supervision is exempt under sub. (3). The
12 department shall collect moneys for the fees charged under this subsection and from

1 a probationer, parolee or person on extended supervision while the person is on
2 probation, parole or extended supervision.

3 (2m) The department shall credit these moneys collected under this section to
4 the appropriation account under s. 20.410 (1) (gf).

History: 1995 a. 27; 1997 a. 27, 283.

5 **SECTION 2718yj.** 304.074[✓] (4m) (a) of the statutes is renumbered 304.074 (4m)
6 and amended to read:

7 304.074 (4m) If a probationer, parolee or person on extended supervision who
8 owes unpaid fees to the department under sub. (2) because the department is unable
9 to collect the entire amount of the fees while the person is on probation, parole or
10 extended supervision and the person is discharged from probation or from his or her
11 sentence before the department collects the unpaid fees, the department shall, at the
12 time of discharge, issue a notice to the probationer, parolee or person on extended
13 supervision that states that he or she owes unpaid fees under sub. (2) and that he or
14 she is responsible for the payment of the unpaid fees. The notice under this
15 paragraph^{subsection} shall be issued with the certificate of discharge required under s. 304.078
16 or 973.09 (5).

History: 1995 a. 27; 1997 a. 27, 283.

17 **SECTION 2718yk.** 304.074[✓] (4m) (b) of the statutes is renumbered 304.074 (4s)
18 and amended to read:

19 304.074 (4s) The department may request the attorney general to bring a civil
20 action to recover unpaid fees owed to the department under sub. (2) by a person who
21 is on probation, parole or extended supervision or by a person who has been
22 discharged from probation or from his or her sentence and who, at the time of
23 discharge, owed the department unpaid fees under sub. (2). Before requesting the
24 attorney general to bring a civil action under this paragraph[✓] subsection[✓], the

1 department shall deduct any fees owed to the department that were inaccurately
2 assessed against the person.”.

3 **History:** 1995 a. 27; 1997 a. 27, 283.

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0769/1dn

JEO:.....

cmf

Please review this amendment carefully to make sure that it does what you want it to do.

The material sent to me with the drafting request referred to the expectation that the "threat" of enforcement actions will increase collections of the supervision fee. Note that DOC administrative rules already provide for sanctions for failure to pay supervision fees. The sanctions range from counseling to wage assignment to a recommendation for revocation if the person has the ability to pay but is willfully failing to pay. See s. DOC 328.048, Wis. Admin. Code. In addition, s. 973.09 (3) (bm) and (c), stats., allow for review hearings and the extension of probation if a probationer does not pay the supervision fee.

Jefren E. Olsen
Legislative Attorney
Phone: (608) 266-8906
E-mail: Jefren.Olsen@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0769/1dn
JEO:cmh:jf

June 21, 1999

Please review this amendment carefully to make sure that it does what you want it to do.

The material sent to me with the drafting request referred to the expectation that the "threat" of enforcement actions will increase collections of the supervision fee. Note that DOC administrative rules already provide for sanctions for failure to pay supervision fees. The sanctions range from counseling to wage assignment to a recommendation for revocation if the person has the ability to pay but is wilfully failing to pay. See s. DOC 328.048, Wis. Admin. Code. In addition, s. 973.09 (3) (bm) and (c), stats., allow for review hearings and the extension of probation if a probationer does not pay the supervision fee.

Jefren E. Olsen
Legislative Attorney
Phone: (608) 266-8906
E-mail: Jefren.Olsen@legis.state.wi.us

To Be Drafted

ARC

rec'd
6/22

Agency

Amendment#

ARC Analyst

LRB#

Tax Cnt

Summary

Currently, Corrections requires \$30 per month from probation/parole clients to pay for the costs of the services they receive from the Department. The statute includes no provision compelling payment until after the sentence has been fulfilled and the client is no longer under the control of the agency. At that point, the case can be referred to the Attorney General for civil action.

Potential collections, if everyone paid (some are exempt from all or part due to lack of ability to pay, student status or other reasons) collections for the biennium equal \$21,375,000 and \$22,636,800 (based on average populations of 59,375 in year one and 62,880 in year two). It is unclear how much of this could be collected because of the significant exemptions. But, it should clearly be over the \$4.2 million per year budgeted.

Fiscal Impact

The fiscal effect would be to increase PR at the Department of Corrections by \$2 million. An amendment to this motion would use these additional PR revenues to fund the \$100,000 amendment [General Government #182] and Goetsch's DOC- AODA amendment [Justice #223]

Statement of Intent

Amend Chapter 304.074 to enforce collection of the Reimbursement Fee for Persons on Probation, Parole and Extended Supervision while those individuals are still under the authority of Corrections. It is expected that the threat of enforcement actions will greatly increase collections with little need for actual enforcement.

20-465 (3) (k)
RPW
60749

Controls

Request#

Monday, June 21, 1999

To Be Drafted

ARC MGT

Agency	Corrections	Amendment#	55
ARC Analyst	Matt Tompach	LRB#	
		Tax Cut	<input type="checkbox"/>

Summary

This amendment restores funding, deleted by JFC at the Governor's request, for the Department of Corrections (DOC) to purchase service funding from community corrections programming. DOC would use the restored funding to meet existing programming and treatment needs of probation and parole offenders. These needs include alcohol and other drug abuse programming, housing, domestic violence counseling, sex offender programming, day treatment and employment/work experience programs. Funds to meet these needs had been co-mingled with intensive sanction program funds. When the intensive sanctions program was cut, it inadvertently resulted in reducing the funds for probationers' and parolees' treatment needs.

The motion was amended to specify that no additional GPR would be expended to restore funding for this provision. Rather funding would be provided by Senator Zien's amendment [Justice #3636] Under the change, up to \$1.1 million in each year of the biennium and the release of these funds would be tied to the fiscal commitment made by DOC (i.e., if DOC releases \$1.1 million, JFC can match. If DOC releases \$300,000, JFC can match with \$300,000).

Fiscal Impact

This amendment provides \$2,190,000 GPR in FY2000 and \$2,190,000 GPR in FY 01 to restore purchase of service funding for community corrections programming.

Statement of Intent

Corrections. Restore purchase of service funding for community corrections programming.

~~1,100,000~~
~~110,000~~
1,210,000

Controls

Request#

Monday, June 21, 1999

ARC:.....Kratochwill – Am. #69 , , Infrared optical equipment for searches,
to be housed in Chippewa Co. emergency management agency

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

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

2 **1.** Page 224, line 5: increase the dollar amount for fiscal year 1999-00 by
3 \$110,000 to increase funding for the purpose of purchasing infrared optical
4 equipment to search for individuals who are lost.

5 **2.** Page 1176, line 24: after that line insert:

6 “SECTION 2301m. 166.03 (2) (a) 6. of the statutes is created to read:

7 166.03 (2) (a) 6. Purchase from the appropriation under s. 20.465 (3) (a), at a
8 cost not to exceed \$110,000, infrared optical equipment to be located and maintained

1 by the Chippewa County emergency management agency and used by the civil air
2 patrol to search for lost individuals.”.

3 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

See!
D-Note

LRBb0769/1
JEO/cmh:jf

JMGD/RPN

2

redraft
make
run

ARC:.....Kratowill - Am. # 67, Collection of supervision fees by DOC

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

INS
1-1

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

2 **1.** Page 1328, line 2: after that line insert:

3 **"SECTION 2718yh.** 304.074 (2) of the statutes is amended to read:

4 304.074 (2) ~~Beginning on January 1, 1996, the~~ The department shall charge

5 a fee to probationers, parolees and persons on extended supervision to partially

6 reimburse the department for the costs of providing supervision and services. The

7 department shall set varying rates for probationers, parolees or persons on extended

8 supervision based on ability to pay and with the goal of ~~receiving~~ collecting the

9 equivalent of at least \$1 per day, if appropriate, from each probationer, parolee and

10 person on extended supervision. The department shall not charge a fee while the

1 probationer, parolee or person on extended supervision is exempt under sub. (3). The
2 department shall collect moneys for the fees charged under this subsection ~~and from~~
3 a probationer, parolee or person on extended supervision while the person is on
4 probation, parole or extended supervision.

5 (2m) The department shall credit those moneys collected under this section to
6 the appropriation account under s. 20.410 (1) (gf).

7 **SECTION 2718yj.** 304.074 (4m) (a) of the statutes is renumbered 304.074 (4m)
8 and amended to read:

9 304.074 (4m) If a probationer, parolee or person on extended supervision who
10 owes unpaid fees to the department under sub. (2) because the department is unable
11 to collect the entire amount of the fees while the person is on probation, parole or
12 extended supervision and the person is discharged from probation or from his or her
13 sentence before the department collects the unpaid fees, the department shall, at the
14 time of discharge, issue a notice to the probationer, parolee or person on extended
15 supervision that states that he or she owes unpaid fees under sub. (2) and that he or
16 she is responsible for the payment of the unpaid fees. The notice under this
17 ~~paragraph subsection~~ shall be issued with the certificate of discharge required under
18 s. 304.078 or 973.09 (5).

19 **SECTION 2718yk.** 304.074 (4m) (b) of the statutes is renumbered 304.074 (4s)
20 and amended to read:

21 304.074 (4s) The department may request the attorney general to bring a civil
22 action to recover unpaid fees owed to the department under sub. (2) by a person who
23 is on probation, parole or extended supervision or by a person who has been
24 discharged from probation or from his or her sentence and who, at the time of
25 discharge, owed the department unpaid fees under sub. (2). Before requesting the

1 attorney general to bring a civil action under this ~~paragraph~~ subsection, the
2 department shall deduct any fees owed to the department that were inaccurately
3 assessed against the person.”.

4 (END)

INS
3-3



1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0769/2ins
JEO/MGD/RPN:.....

1 INSERT 1-1:

2 1. Page 186, line 17: increase the dollar amount for fiscal year 1999-00 by
3 \$1,205,000 and increase the dollar amount for fiscal year 2000-01 by \$1,095,000 for
4 the purpose of purchasing services for probationers, parolees and persons on
5 extended supervision and purchasing infrared optical equipment.

6 2. Page 187, line 9: after that line insert:

7 "(kd) Community corrections purchase
8 of services PR-S A 1,095,000 1,095,000".

9 3. Page 225, line 9: after that line insert:

10 "(k) Infrared optical equipment PR-S B 110,000 -0-".

11 4. Page 275, line 5: increase the dollar amount for fiscal year 1999-00 by
12 \$1,095,000 and increase the dollar amount for fiscal year 2000-01 by \$1,095,000 for
13 the purpose of supplementing the appropriations of the department of corrections.

14 5. Page 333, line 11: after that line insert:

15 "SECTION 359d. 20.410 (1) (gf) of the statutes is amended to read:

16 20.410 (1) (gf) *Probation, parole and extended supervision*. The amounts in the
17 schedule for probation, parole and extended supervision and to make the transfers
18 specified under 1999 Wisconsin Act ... (this act), section 9101 (13^g). All moneys
19 received from fees charged under s. 304.074 (2) shall be credited to this appropriation
20 account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department shall
21 transfer \$110,000, less any amount transferred under 1999 Wisconsin Act ... (this

← scored letter "g"

underscored letter "g"

1 act), section 9101 (13^g) (a), between the 1999-2000 fiscal year and the 2001-01 fiscal
2 year under this paragraph.

History: 1989 a. 31 ss. 340, 361 to 380, 382 to 392; 1989 a. 107, 122, 359; 1991 a. 39; 1993 a. 16, 98, 377, 437, 490; 1995 a. 27, 77, 416, 440; 1997 a. 4, 27, 35, 237, 252, 275, 283, 284.

3 **SECTION 359e.** 20.410 (1) (gf) of the statutes, as affected by 1999 Wisconsin Act
4 (this act), is amended to read:

5 20.410 (1) (gf) *Probation, parole and extended supervision.* The amounts in the
6 schedule for probation, parole and extended supervision ~~and to make the transfers~~
7 ~~specified under 1999 Wisconsin Act (this act), section 9101 (13^g).~~ All moneys
8 received from fees charged under s. 304.074 (2) shall be credited to this appropriation
9 account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department shall
10 transfer \$110,000, less any amount transferred under 1999 Wisconsin Act (this
11 act), section 9101 (13^g), between the 1999-2000 fiscal year and the 2001-01 fiscal
12 year under this paragraph." Stricken
letter
"g"

History: 1989 a. 31 ss. 340, 361 to 380, 382 to 392; 1989 a. 107, 122, 359; 1991 a. 39; 1993 a. 16, 98, 377, 437, 490; 1995 a. 27, 77, 416, 440; 1997 a. 4, 27, 35, 237, 252, 275, 283, 284.

13 **6.** Page 334, line 2: after that line insert:

14 "SECTION 360w. 20.410 (1) (kd) of the statutes is created to read:

15 20.410 (1) (kd) *Community corrections purchase of services.* The amounts in
16 the schedule to purchase services for persons on probation, parole and extended
17 supervision. All moneys transferred to this appropriation account under 1999
18 Wisconsin Act (this act), section 9101 (13^g) (b), shall be credited to this
19 appropriation account. letter "g"

20 **SECTION 360x.** 20.410 (1) (kd) of the statutes, as created by 1999 Wisconsin Act
21 (this act), is repealed."

22 **7.** Page 368, line 24: after that line insert:

23 "SECTION 496x. 20.465 (3) (k) of the statutes is created to read:

letter "g"

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20.465 (3) (k) *Infrared optical equipment*. Biennially, the amounts in the schedule to purchase infrared optical equipment under s. 166.03 (2) (a) 6. All moneys transferred to this appropriation account under 1999 Wisconsin Act (this act), section 9101 (13^a) (a) shall be credited to this appropriation account.

SECTION 496y. 20.465 (3) (k) of the statutes, as created by 1999 Wisconsin Act (this act), is repealed."

8. Page 1176, line 24: after that line insert:

"SECTION 2301L. 166.03 (2) (a) 6. of the statutes is created to read:

166.03 (2) (a) 6. From the appropriation under s. 20.465 (3) (k), purchase infrared optical equipment to be located and maintained by the Chippewa County emergency management agency and used by the civil air patrol to search for lost individuals.

SECTION 2301m. 166.03 (2) (a) 6. of the statutes, as created by 1999 Wisconsin Act (this act), is repealed."

INSERT 3-3:

9. Page 1476, line 7: after that line insert:

"(13^a) TRANSFER OF SUPERVISION FEES. During the 1999-2001 fiscal biennium, the secretary of administration shall make the following transfers from the appropriation account under section 20.410 (1) (gf) of the statutes, as affected by this act, in the order listed:

(a) To the appropriation account under section 20.465 (3) (k) of the statutes, as created by this act, the amount of moneys credited to the appropriation account under section 20.410 (1) (gf) of the statutes, as affected by this act, that exceed

5

1 \$4,165,000, except that the amount transferred under this paragraph during the
2 fiscal biennium may not exceed \$110,000.

3 (b) To the appropriation account under section 20.410 (1) (kd) of the statutes,
4 as created by this act, the amount of moneys credited to the appropriation account
5 under section 20.410 (1) (gf) of the statutes, as affected by this act, that exceed
6 \$4,165,000, less the amount required to be transferred under paragraph (a), except
7 that the amount transferred under this paragraph during any fiscal year may not
8 exceed the amount in the schedule under section 20.410 (1) (kd) of the statutes, as
9 created by this act, for that fiscal year.”

10 **10.** Page 1608, line 3: after that line insert:

Effective
Date

11 “(3^g) TRANSFER OF SUPERVISION FEES. The repeal of section 20.410 (1) (kd) of the
12 statutes and the amendment of section 20.410 (1) (gf) (by SECTION 359e) of the
13 statutes take effect on July 1, 2001.”

14 **11.** Page 1611, line 10: after that line insert:

Effective
Date

15 “(1^g) INFRARED OPTICAL EQUIPMENT. The repeal of sections 20.465 (3) (k) and
16 166.03 (2) (a) 6. of the statutes takes effect on July 1, 2001.”

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0769/2dn
JEO/MGD/RPN:.....

cmf

June 22, 1999

Because the revenue generated under this amendment is being used to fund programs under ARC amendments 55 and 69 (requests 223 and 3626), we have incorporated the substantive provisions of amendments 55 and 69 into this draft.

Michael Dsida
Legislative Attorney
Phone: (608) 266-9867

JEO
RPN

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0769/2dn
JEO/MGD/RPN:cmh:ch

June 23, 1999

Because the revenue generated under this amendment is being used to fund programs under ARC amendments 55 and 69 (requests 223 and 3626), we have incorporated the substantive provisions of amendments 55 and 69 into this draft.

Michael Dsida
Legislative Attorney
Phone: (608) 266-9867

Jefren E. Olsen
Legislative Attorney
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E-mail: Jefren.Olsen@legis.state.wi.us

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511

Per Jere Bauer (per Brian Dake @ ARC)

Keep: 0720 - okay (JFC sugg.)

60749 Keep ~~DMA~~ infrared draft. (as a GPR increase....)

0769 → 20.410 (1) (gf)

<u>Increase</u>	99-00	\$ 949,000
	00-01	\$ 1,135,000

for probation, parole & e.s.

reduce (1)(b) by same amts.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0769/2
JEO/MGD/AM:cmh:ch

↑ jlg
3
redraft
maker
run

ARC:.....Kratowill - Am. # 67, Collection of supervision fees by DOC

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

INS
1-1

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

2 ~~1. Page 186, line 17: increase the dollar amount for fiscal year 1999-00 by~~
3 ~~\$1,205,000 and increase the dollar amount for fiscal year 2000-01 by \$1,095,000 for~~
4 ~~the purpose of purchasing services for probationers, parolees and persons on~~
5 ~~extended supervision and purchasing infrared optical equipment.~~

6 ~~2. Page 187, line 9: after that line insert:~~

7 ~~"(kd) Community corrections purchase~~

8 ~~of services PR-S A 1,095,000 1,095,000".~~

9 ~~3. Page 225, line 9: after that line insert:~~

10 ~~"(k) Infrared optical equipment PR-S B 110,000 -0-".~~

1 **4.** Page 275, line 5: increase the dollar amount for fiscal year 1999–00 by
2 \$1,095,000 and increase the dollar amount for fiscal year 2000–01 by \$1,095,000 for
3 the purpose of supplementing the appropriations of the department of corrections.

4 **5.** Page 333, line 11: after that line insert:

5 **“SECTION 359d.** 20.410 (1) (gf) of the statutes is amended to read:

6 20.410 (1) (gf) *Probation, parole and extended supervision.* The amounts in the
7 schedule for probation, parole and extended supervision and to make the transfers
8 specified under 1999 Wisconsin Act (this act), section 9101 (13g). All moneys
9 received from fees charged under s. 304.074 (2) shall be credited to this appropriation
10 account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department shall
11 transfer \$110,000, less any amount transferred under 1999 Wisconsin Act (this
12 act), section 9101 (13g) (a), between the 1999–2000 fiscal year and the 2001–01 fiscal
13 year under this paragraph.

14 **SECTION 359e.** 20.410 (1) (gf) of the statutes, as affected by 1999 Wisconsin Act
15 (this act), is amended to read:

16 20.410 (1) (gf) *Probation, parole and extended supervision.* The amounts in the
17 schedule for probation, parole and extended supervision ~~and to make the transfers~~
18 ~~specified under 1999 Wisconsin Act (this act), section 9101 (13g).~~ All moneys
19 received from fees charged under s. 304.074 (2) shall be credited to this appropriation
20 account. ~~Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department shall~~
21 ~~transfer \$110,000, less any amount transferred under 1999 Wisconsin Act (this~~
22 ~~act), section 9101 (13g), between the 1999–2000 fiscal year and the 2001–01 fiscal~~
23 ~~year under this paragraph.”.~~

24 **6.** Page 334, line 2: after that line insert:

1 **SECTION 360w.** 20.410 (1) (kd) of the statutes is created to read:

2 20.410 (1) (kd) *Community corrections purchase of services.* The amounts in
3 the schedule to purchase services for persons on probation, parole and extended
4 supervision. All moneys transferred to this appropriation account under 1999
5 Wisconsin Act (this act), section 9101 (13g) (b), shall be credited to this
6 appropriation account.

7 **SECTION 360x.** 20.410 (1) (kd) of the statutes, as created by 1999 Wisconsin Act
8 (this act), is repealed.”.

9 **7.** Page 368, line 24: after that line insert:

10 **SECTION 496x.** 20.465 (3) (k) of the statutes is created to read:

11 20.465 (3) (k) *Infrared optical equipment.* Biennially, the amounts in the
12 schedule to purchase infrared optical equipment under s. 166.03 (2) (a) 6. All moneys
13 transferred to this appropriation account under 1999 Wisconsin Act (this act),
14 section 9101 (13g) (a), shall be credited to this appropriation account.

15 **SECTION 496y.** 20.465 (3) (k) of the statutes, as created by 1999 Wisconsin Act
16 (this act), is repealed.”.

17 **8.** Page 1176, line 24: after that line insert:

18 **SECTION 2301L.** 166.03 (2) (a) 6. of the statutes is created to read:

19 166.03 (2) (a) 6. From the appropriation under s. 20.465 (3) (k), purchase
20 infrared optical equipment to be located and maintained by the Chippewa County
21 emergency management agency and used by the civil air patrol to search for lost
22 individuals.

23 **SECTION 2301m.** 166.03 (2) (a) 6. of the statutes, as created by 1999 Wisconsin
24 Act (this act), is repealed.”.

1 **9.** Page 1328, line 2: after that line insert:

2 “**SECTION 2718yh.** 304.074 (2) of the statutes is amended to read:

3 304.074 (2) ~~Beginning on January 1, 1996, the~~ The department shall charge
4 a fee to probationers, parolees and persons on extended supervision to partially
5 reimburse the department for the costs of providing supervision and services. The
6 department shall set varying rates for probationers, parolees or persons on extended
7 supervision based on ability to pay and with the goal of ~~receiving~~ collecting the
8 equivalent of at least \$1 per day, if appropriate, from each probationer, parolee and
9 person on extended supervision. The department shall not charge a fee while the
10 probationer, parolee or person on extended supervision is exempt under sub. (3). The
11 department shall collect moneys for the fees charged under this subsection ~~and from~~
12 a probationer, parolee or person on extended supervision while the person is on
13 probation, parole or extended supervision.

14 (2m) The department shall credit these moneys collected under this section to
15 the appropriation account under s. 20.410 (1) (gf).

16 **SECTION 2718yj.** 304.074 (4m) (a) of the statutes is renumbered 304.074 (4m)
17 and amended to read:

18 304.074 (4m) ~~If a probationer, parolee or person on extended supervision who~~
19 owes unpaid fees to the department under sub. (2) ~~because the department is unable~~
20 to collect the entire amount of the fees while the person is on probation, parole or
21 extended supervision and the person is discharged from probation or from his or her
22 sentence before the department collects the unpaid fees, the department shall, at the
23 time of discharge, issue a notice to the probationer, parolee or person on extended
24 supervision that states that he or she owes unpaid fees under sub. (2) and that he or

1 she is responsible for the payment of the unpaid fees. The notice under this
2 ~~paragraph subsection~~ shall be issued with the certificate of discharge required under
3 s. 304.078 or 973.09 (5).

4 **SECTION 2718yk.** 304.074 (4m) (b) of the statutes is renumbered 304.074 (4s)
5 and amended to read:

6 304.074 (4s) The department may request the attorney general to bring a civil
7 action to recover unpaid fees owed to the department under sub. (2) by a person who
8 is on probation, parole or extended supervision or by a person who has been
9 discharged from probation or from his or her sentence and who, at the time of
10 discharge, owed the department unpaid fees under sub. (2). Before requesting the
11 attorney general to bring a civil action under this ~~paragraph subsection~~, the
12 department shall deduct any fees owed to the department that were inaccurately
13 assessed against the person.”.

14 **10.** Page 1476, line 7, after that line insert:

15 “(13g) TRANSFER OF SUPERVISION FEES. During the 1999–2001 fiscal biennium,
16 the secretary of administration shall make the following transfers from the
17 appropriation account under section 20.410 (1) (gf) of the statutes, as affected by this
18 act, in the order listed:

19 (a) To the appropriation account under section 20.465 (3) (k) of the statutes, as
20 created by this act, the amount of moneys credited to the appropriation account
21 under section 20.410 (1) (gf) of the statutes, as affected by this act, that exceeds
22 \$4,165,000, except that the amount transferred under this paragraph during the
23 fiscal biennium may not exceed \$110,000.

1 (b) To the appropriation account under section 20.410 (1) (kd) of the statutes,
2 as created by this act, the amount of moneys credited to the appropriation account
3 under section 20.410 (1) (gf) of the statutes, as affected by this act, that exceeds
4 \$4,165,000, less the amount required to be transferred under paragraph (a), except
5 that the amount transferred under this paragraph during any fiscal year may not
6 exceed the amount in the schedule under section 20.410 (1) (kd) of the statutes, as
7 created by this act, for that fiscal year.”

8 **11.** Page 1608, line 3: after that line insert:

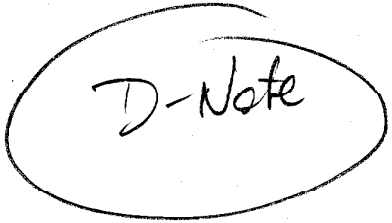
9 “(3g) TRANSFER OF SUPERVISION FEES. The repeal of section 20.410 (1) (kd) of the
10 statutes and the amendment of section 20.410 (1) (gf) (by SECTION 359e) of the
11 statutes take effect on July 1, 2001.”

12 **12.** Page 1611, line 10: after that line insert:

13 “(1g) INFRARED OPTICAL EQUIPMENT. The repeal of sections 20.465 (3) (k) and
14 166.03 (2) (a) 6. of the statutes takes effect on July 1, 2001.”

15

(END)



D-Note

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0769/3ins
JEO:.....

1 **INSERT 1-1:**

2 **1.** Page 185, line 8: decrease the dollar amount for fiscal year 1999-00 by
3 \$949,000 and decrease the dollar amount for fiscal year 2000-01 by \$1,135,000 for
4 the purpose of decreasing funding for services for community corrections. ✓

5 **2.** Page 186, line 17: increase the dollar amount for fiscal year 1999-00 by
6 \$949,000 and increase the dollar amount for fiscal year 2000-01 by \$1,135,000 for
7 the purpose of increasing funding for probation, parole and extended supervision.

(end ins)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0769/3dn

JEO:.....

jlq

→ In accordance with instructions from Brian Dake at ARC (communicated to me by Jere Bauer at LFB), this redraft simply increases the amounts in the schedule for s. 20.410 (1) (gf), stats., and decreases by the same amount the amounts in the schedule for s. 20.410 (1) (b), stats. Thus, this amendment, LRBb0720/1 (Am. # 55) and LRBb0749/1 (Am. # 69) should all appear in the compile.

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0769/3dn
JEO;jlg:mrc

June 23, 1999

In accordance with instructions from Brian Dake at ARC (communicated to me by Jere Bauer at LFB), this redraft simply increases the amounts in the schedule for s. 20.410 (1) (gf), stats., and decreases by the same amount the amounts in the schedule for s. 20.410 (1) (b), stats. Thus, this amendment, LRBb0720/1 (Am. #55) and LRBb0749/1 (Am. #69) should all appear in the compile.

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