

2001 Jr2 DRAFTING REQUEST

Senate Amendment (SA-SSA1-AB1)

Received: **03/28/2002**

Received By: **rryan**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Engel**

This file may be shown to any legislator: **NO**

Drafter: **rryan**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - law enforcement**

Extra Copies:

Submit via email: **NO**

Pre Topic:

SCC:.....Engel - CN 3701,

Topic:

Automated fingerprint identification system workstation for city of Racine

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	rryan 03/28/2002	gilfokm 03/28/2002	jfrantze 03/28/2002	_____	lrb_docadmin 03/29/2002		

FE Sent For:

<END>

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1/?	rryan	3/28 smg	Jb/28	Jb/ch 3/28			

FE Sent For:

<END>

pkc

CN 3701

**Department of Justice - City of Racine Police Department
AFIS Workstation**

Provide \$63,200 GPR in 2002-03, to the Department of Justice (DOJ) and require DOJ to provide a grant to the City of Racine Police Department to fund the purchase of an automated fingerprint identification system (AFIS) workstation and to cover the initial cost of installing a Badgernet line for the workstation.

Direct DOJ and the City of Racine Police Department to enter into an agreement which would define the duties and obligations of both DOJ and the City of Racine Police Department regarding the use of the AFIS workstation and City of Racine Police Department access to the state AFIS and criminal records databases.

Create a GPR appropriation in DOJ to receive the funds and specify that the appropriation's funds be used by or on behalf of the City of Racine Police Department to purchase an AFIS workstation and to cover the initial cost of installing a Badgernet line for the workstation.

[See JFC motion #1576 (f) on the 2001-03 biennial budget (modified).]



State of Wisconsin
 2001 - 2002 LEGISLATURE
 January 2002 Special Session

LRBb28542

RLR: *King*

SCC:.....Engel - CN 3701, Automated fingerprint identification system workstation for city of Racine

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

RMRE

D-note

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

2 ✓ 1. Page 12, line 10: after that line insert:

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5x4x
4

20.455 Justice, department of

5 (2) LAW ENFORCEMENT SERVICES

6 (cr) Automated fingerprint identifi-

07

cation system grant

GPR A

-0-

63,200". ✓

8 ✓ 2. Page 17, line 5: after that line insert:

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"SECTION 41. 20.455 (2) (cr) of the statutes is created to read:

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11

" 2001-02 2002-03

1 20.455 (2) (cr) Automated fingerprint identification system grant. The amounts
2 in the schedule for a grant to a law enforcement agency under 2001 Wisconsin Act
3 (this act), section 9131 (6), for an automated fingerprint identification system
4 work station and for installation of a Badgernet line.

5 SECTION 41. 20.455 (2) (cr) of the statutes, as created by 2001 Wisconsin Act
6 (this act), is repealed.”

7 ✓ 3. Page 358, line 25: after that line insert:

8 “(6) AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM WORK STATION FOR CITY OF
9 RACINE. From the appropriation under section 20.455 (2) (cr) of the statutes, the
10 department of justice shall award \$63,200 to the City of Racine police department
11 in fiscal year 2002-03 for the purchase of an automated fingerprint identification
12 system work station and for installation of a Badgernet line for the work station. The
13 City of Racine police department and the department of justice shall enter into an
14 agreement regarding the duties and obligations of the police department and the
15 department of justice with respect to use of the automated fingerprint identification
16 system work station and regarding use of, and access to, the state automated
17 fingerprint identification system and to other criminal record databases.”

18 ✓ 4. Page 446, line 19: after that line insert:

19 “(6) AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM WORK STATION GRANT. The
20 repeal of section 20.455 (2) (cr) of the statutes takes effect on July 1, 2003.”

21 (END)

Revised

as created by this act, ✓

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2854/1dn

RLR: *[Handwritten initials]*

Andy Engel:

It is possible that a Wisconsin court would find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this legislation cannot validly be enacted as part of the state budget revision bill because the budget revision bill clearly encompasses more than one subject.

Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. IV, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest." This proposal is applicable only to the City of Racine. ✓

Because it is difficult to predict the potential for and outcome of any court action on this proposal, should it be enacted as part of the budget revision, you may wish to consider introducing this proposal as a separate bill. *bill*

For additional information on private and local bills, please see the Legislative Reference Bureau "Constitutional Highlights" publication concerning this subject. The publication can be found on the Legislative Reference Bureau website (www.legis.state.wi.us).

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.state.wi.us

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

LRBb2854/1dn
RLR:kmg:jf

March 28, 2002

Andy Engel:

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Robin Ryan
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State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2854/1
RLR:kmg:jf

SCC:.....Engel - CN 3701, Automated fingerprint identification system
workstation for city of Racine

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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TO SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

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