

2005 DRAFTING REQUEST

Bill

Received: **09/29/2004**

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Donald Friske (608) 266-7694**

By/Representing: **Tim Gary**

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

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Children - juvenile justice**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Friske@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Juvenile correctional facility changes

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>
/?	gmalaise 10/25/2004	lkunkel 11/11/2004 lkunkel 12/08/2004		_____			S&L
/P1			pgreensl 12/08/2004	_____	sbasford 12/08/2004		S&L
/1	gmalaise 09/06/2005	lkunkel 09/06/2005	rschlue 09/07/2005	_____	lemery 09/07/2005	lnorthro 09/16/2005	

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FE Sent For:

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Intro.

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1/1/mk9/6

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/?	gmalaise	1/11 lmk 11/11 1/11 lgj 12/17	12/18 ps	12/18 sllb			

FE Sent For:

<END>

Nelson, Robert P.

From: Gary, Tim
Sent: Tuesday, September 28, 2004 4:43 PM
To: Nelson, Robert P.
Subject: Juvenile Corrections Reform

Dear Bob,

Please find enclosed with this email a document which outlines Friske's intentions for a bill draft, it may provide some insight into some other issues that will likely have to be addressed with the basic bill drafting instructions listed below.

We will likely have to make some adjustments in subsequent re-drafts, so you may wish to hold off on implementing a full /1 ... rather we may want to go with P-drafting.

This will be one of the tough bills that Friske will be tackling for the 05/06 session.

Have questions? I bet you will! Please ask (email preferable, as I will be in and out of the office over the course of the election season).

Thank you in advance for helping us get started on this.

Sincerely,
Tim Gary
Research Assistant to
Representative Don Friske

Bill Draft

17 - 20 Year Old Students

1. Require Ethan Allen, Lincoln Hills to implement necessary sight and sound separation federal requirement for 18, 19 and 20 year old residents to be placed.
2. Allow County (and circuit court judges?) to sentence 10 - 17⁽¹⁷⁾ year old convicts (do not address adjudicates) to serve until the age of 21 at Ethan Allen, Lincoln Hills, or Southern Oaks School for Girls.
3. Create a new line in chapter 20 that would be specifically for GPR (out of the Serious Juvenile Offender funding) to pay for 10 - 17 year old convicts to be housed at Ethan Allen, Lincoln Hills and Southern Oaks School for Girls.
4. Staff 10 - 17 year old convicts held in Ethan Allen, Lincoln Hills and Southern Oaks School for Girls with the same type of employees as are currently at those facilities (No adult correctional officers).
5. Staff 10 - 17 year old convicts held in Ethan Allen, Lincoln Hills and Southern Oaks School for Girls with the juvenile correctional administrative code, as are currently used at those facilities (No adult correctional administrative code).

Daily Rate Flexibility

1. Allow the Department of Corrections' Division of Juvenile Corrections to set two daily rates charged to Wisconsin Counties
2. One daily rate, known as the long term daily rate, will be for residents sentenced for longer than a month.
3. One daily rate, known as the short term daily rate, will be for residents sentenced for less than a month.

Compensation Reserve Accessibility

1. Allow the Department of Corrections' Division of Juvenile Corrections to have accessibility to the Compensation Reserve Fund to cover the difference between the enactment of negotiated contracts and the beginning of the following fiscal years.

A 50% Requirement

1. Require that 50% of the state of Wisconsin's male juveniles adjudicated delinquent to be housed at Lincoln Hills
2. Require that 50% of the state of Wisconsin's male juveniles adjudicated delinquent to be housed at Ethan School for Boys
3. Require that 50% of the state of Wisconsin's male juveniles convicted and sentenced to juvenile facilities to be housed at Lincoln Hills
4. Require that 50% of the state of Wisconsin's male juveniles convicted and sentenced to juvenile facilities to be housed at Ethan School for Boys



JuvenileCorrectionF
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Correctional School Reform

- Part I – Facility Resident Age Reform
- Part II – Daily Rate Flexibility
- Part III – Compensation Reserve Accessibility
- Part IV – A 50% Requirement

By Representative Donald Friske

Correctional School Reform

By Representative Don Friske

Part I

Facility Resident Age Reform

Current Law

Friske 'Resident Age Reform'

Correctional School Residents

- Adjudicated for portion of minorhood Age: 10 - 16
- Adjudicated for remainder of minorhood Age: 10 - 16
- Adjudicated for beyond minorhood Age: 10 - 16
- Convicted for portion of minorhood Age: 10 - 16
- Convicted for remainder of minorhood Age: 10 - 16
- Convicted for beyond minorhood Age: 10 - 16

Correctional Prison Residents

- Convicted prison sentenced juveniles Age: 10 - 20
- Convicted prison sentenced juveniles Age: 21 +
- Convicted adults Age: 18 +

Correctional School Residents

- Adjudicated for portion of minorhood Age: 10 - 16
- Adjudicated for remainder of minorhood Age: 10 - 16
- Adjudicated for beyond minorhood Age: 10 - 16
- Convicted for portion of minorhood Age: 10 - 16
- Convicted for remainder of minorhood Age: 10 - 16
- Convicted for beyond minorhood Age: 10 - 16
- Convicted prison sentenced juveniles Age: 10 - 20

Correctional Prison Residents

- Convicted prison sentenced juveniles Age: 21 +
- Convicted adults Age: 18 +

Correctional School Population

2002 Average Daily Juvenile Facility Population = 837
 2002 Lincoln Hills Daily Population = 377

Correctional School Population

Estimated Average Daily Population = 837 (02) + 381 (Target) = 1218
 Estimated Lincoln Hills Daily Population = .50(837) + .50(381) = 608

416	608
2 1837	381
	227

Correctional School Reform

By Representative Don Friske

Part I

Facility Resident Age Reform

Total DOC Adult Facility 10 – 20 Year Old Population (as of Dec 31, 2002)

Ages	Males	Females	Total
20	708	25	733
19	474	19	493
18	243	8	251
17	46	2	48
<17	13	2	15
Total	1484	56	1540

Target DOC Adult Facility 10 – 20 Year Old Placement in Juvenile Facilities

Ages	Males	Females	Total
20	177	6	183
19	118	4	122
18	60	2	62
17	11	0	11
<17	3	0	3
Total	369	12	381

Target DOC Adult Facility 10 – 20 Year Old Placement in Lincoln Hills

Ages	Males	Females	Total
20	89	3	92
19	59	2	61
18	30	1	31
17	5	0	65
<17	1	0	1
Total	186	6	190

Filters

- Predatory Behavior
- Serious Juvenile Offenders
- Offense Types
- Age at Waiver

Correctional School Reform

By Representative Don Friske

Part I

Facility Resident Age Reform

Important Policy Implications and Questions Remain

1. Adult Versus Juvenile Facility Designation

- a. If the Division of Juvenile Corrections will continue to operate the facility, Lincoln Hills will have to be designated by the Wisconsin State Statutes as a Type I Adult Prison in order to house 18, 19 and 20 year old residents.

2. Operational Revenue Streams

- a. County Youth Aids will not be available for 18, 19 and 20 year old residents.
- b. The Serious Juvenile Offender Appropriation is a General Purpose Revenue Appropriation.
- c. A new third funding stream could be created.
 - i. Have the Division of Adult Institutions pay a daily rate to the Division of Juvenile Corrections.
 - ii. A new GPR fund could be created within the appropriations statutes (*preferred alternative*).
 - iii. A line item out of the Adult Institutions could be created within existing appropriation statutes.

3. Staffing and Training

- a. Staff new adult residents with juvenile youth counselors (*preferred alternative*).
 - i. No new physical requirements would be required.
 - ii. New training for adult residents may be required.
- b. Staff new adult residents with adult correctional officers
 - i. Current employees may have to transition into a employee class; or
 - ii. Existing correctional employees may have to transfer into the facility

4. Administrative Rules – Adult or Juvenile Code

- a. Clarification of operational rules will be necessary with guidance from the Department of Corrections and Legislature.
 - i. New adult residents could fall under existing juvenile code, setting one set of rules for Lincoln Hill employees (*preferred alternative*).
 - ii. New adult residents could fall under existing adult code, setting two sets of rules for Lincoln Hill employees.

5. Federal Requirements

- a. The federal government requires that the Department of Corrections keep Juvenile and Adult inmates separated from both sight and sound of each other. Significant funding could be lost if this provision is not met.
 - i. Can we integrate adult inmates as residents of the facility without forfeiting federal funds?

Correctional School Reform

By Representative Don Friske

Part II

Daily Rate Flexibility

1. Current Problems

- a. Only the Legislative Joint Finance Committee (JFC) has the authority to set the daily rate for juvenile housing reimbursement from counties.
 - i. The JFC sets the daily rate at the beginning of a two-year budget cycle.
 - ii. Operational costs can change for a facility at anytime within the two-year budget cycle.
 - iii. The JFC does not reset the daily rate to meet the unexpected changes.
- b. Short term costs unconsidered
 - i. Short term stays cost more than long term stays
 - ii. The JFC does not set multiple tiers for short versus long term stays when setting the daily rate

2. Potential Solutions

- a. Provide authority for the Division of Juvenile Corrections to adjust the daily rate they charge counties to house students for shorter stays.
 - i. Allow DJC to set two rates, one for short stays, and one for long-term stays; or
 - ii. Allow JFC to set two rates, one for short stays, and one for long-term stays; or
 - iii. Allow JFC to set a base rate for both short and long-term stays AND allow DJC to set an additional cost user charge to counties that make short-term stays.

Correctional School Reform By Representative Don Friske

Part III

Compensation Reserve Accessibility

1. Current Problem
 - a. Negotiation Calendars versus Appropriation Calendars
 - i. The budget cycle and the contract negotiation cycle compete with each other for the attention of policy makers and are not conducive to keeping a steady reliable stream of revenue accessible to pay juvenile corrections bills.
 - ii. The Compensation Reserve Fund is set up in order to offset increased costs occurring between the contract approval and the new fiscal year.
 - iii. The Juvenile Correction System is paid for by the State of Wisconsin with Program Revenue (PR).
 - iv. Programs using PR do not have access to the Compensation Reserve Fund.
 - v. **Employment levels at Juvenile Facilities spike and dip because there are no reserve funds available to pay for both employees and facility costs.**
2. Potential Solution
 - a. Allow the Division of Juvenile Corrections to have access to the Compensation Reserve Fund to cover the difference between the enactment of negotiated contracts and the beginning of the next fiscal year.
 - i. **Reduce and eliminate the spikes and dips in employment levels.**
 - ii. Create certainty among juvenile employees as are available to other state employees.
 - iii. Create certainty & continuity for both negotiation & appropriation calendars and the decision makers who operate under the timelines driven by those calendars.

Correctional School Reform

By Representative Don Friske

Part IV

A 50% Requirement

1. Current Problems

- a. Ethan Allen School for Boys is statutorily required to house 55% of the juvenile residents of the states male juvenile adjudicates. Lincoln Hills is assigned the remaining 45%.
- b. Ethan Allen and Lincoln Hills are the only two facilities that house male juvenile adjudicates exclusively.

2. Potential Solutions

- a. Require that Lincoln Hills and Ethan Allen have 50% of the state's male juvenile adjudicates each; and
- b. Require that and Ethan Allen and Lincoln Hills have 50% of the state's convicted youths (aged 10 – 20) each; or
- c. Both a. and b.; or
- d. Require that Lincoln Hills be assigned at least 55% of the state's convicted youths (aged 10 – 20).



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-03387

GMM.....

12/10

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jt

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

d-note

GenCut

1 AN ACT ...; relating to: the establishment of medium security correctional
 2 institutions on the grounds of the Lincoln Hills School, the Ethan Allen School,
 3 and the Southern Oaks Girls School; authorization for the Department of
 4 Corrections to set the youth aids daily rates for care of a juvenile in a secured
 5 correctional facility or a treatment facility; and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the court assigned to exercise jurisdiction under the Juvenile Justice Code (juvenile court) ordinarily exercises jurisdiction over a juvenile who is alleged to have committed a delinquent act and, upon adjudicating the juvenile delinquent, may place the juvenile in a secured correctional facility such as the Lincoln Hills School, the Ethan Allen School, or the Southern Oaks Girls School. Under certain circumstances, however, the juvenile court may waive its jurisdiction over a juvenile or a juvenile may be subject to the original jurisdiction of the court of criminal jurisdiction, in which case the juvenile, upon conviction, is subject to criminal penalties, including a sentence of imprisonment in the Wisconsin state prisons where the juvenile is subject to the laws pertaining to inmates of the penal institutions of this state.

This bill requires the Department of Corrections (DOC) to establish medium security correctional institutions on the grounds of the Lincoln Hills School, the Ethan Allen School, and the Southern Oaks Girls School for persons under 21 years of age who have been sentenced to the Wisconsin state prisons. The bill requires an

to
* inmate placed in one of those institutions to be separated physically, and by sight and sound, from a juvenile placed in the school on whose grounds the institution is located. The bill also specifies that such an inmate is under the supervision and control of the Division of Juvenile Corrections in DOC, is subject to the rules and discipline of that division, and is subject to the laws and rules pertaining to the care of juveniles placed in juvenile secured correctional facilities rather than to the laws pertaining to inmates of the penal institutions of this state. In addition, the bill requires those institutions to be staffed by officers and employees of the Division of Juvenile Corrections in DOC rather than by correctional officers whose primary duty is to supervise inmates at a prison and specifies that those officers and employees are subject to the laws and rules pertaining to the care of juveniles placed in juvenile secured correctional facilities rather than to the laws pertaining to penal institutions.

* Under current law relating to community youth and family aids, generally referred to as "youth aids," DOC is required to allocate various state and federal moneys to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. DOC charges counties for the cost of services provided by DOC according to per person daily cost assessments specified in the statutes. Currently, those assessments include assessments of \$187 for care in a juvenile secured correctional facility or a treatment facility.

* This bill eliminates those statutorily set assessments and instead directs DOC to set those assessments at least annually. The bill permits DOC to set one assessment for short-term placements of 30 days or less and another assessment for long-term placements of more than 30 days and permits DOC to adjust those assessments more frequently than annually as necessary to reflect the per person average daily cost of providing that care. The bill requires DOC to publish those assessments and adjustments in the Wisconsin Administrative Register and excepts DOC from having to promulgate those assessments and adjustments as rules. The bill also requires DOC to increase the youth aids funds allocated to counties if DOC increases an assessment under the bill.

Finally, the bill requires DOC to manage the number of juveniles placed at the Lincoln Hills School and at the Ethan Allen School and the number of inmates placed at the medium security correctional institutions located on the grounds of those schools so that over a 12-month period the average daily population of the Lincoln Hills School and of the institution located on its grounds and the average daily population of the Ethan Allen School and of the institution located on its grounds are equal.

✓ For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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2005-06 2006-07

20.410 Corrections, department of

(1) ADULT CORRECTIONAL SERVICES

(ac) Youthful offender facilities GPR A -0- -0- ✓

SECTION 1. 20.410 (1) (ac) of the statutes is created to read:

20.410 (1) (ac) *Youthful offender facilities*. The amounts in the schedule to be transferred to the appropriation account under sub. (3) (hm) for the purpose of operating the correctional institutions under s. 301.16 (1y), (1z), and (1zm).

SECTION 2. 20.410 (3) (hm) of the statutes is amended to read:

20.410 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho) and (hr), the amounts in the schedule for juvenile correctional services specified in s. 301.26 (4) (c) and (d) and to operate the correctional institutions authorized under s. 301.16 (1y), (1z), and (1zm). All moneys received from the sale of surplus property, including vehicles, from juvenile correctional institutions operated by the department, all moneys received as payments in restitution of property damaged at juvenile correctional institutions operated by the department, all moneys received from miscellaneous services provided at a juvenile correctional institution operated by the department, all moneys transferred under s. 301.26 (4) (cm), all moneys transferred under s. 301.16 (1y), (1z), and (1zm), and, except as provided in par. (hr), all moneys received in payment for juvenile correctional services specified in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year institutional costs, other than the costs of operating the correctional institutions authorized under s. 301.16 (1y), (1z), and (1zm), by 2% or more, all moneys in excess

1 of that 2% shall be remitted to the counties during the subsequent calendar year or
2 transferred to the appropriation account under par. (kx) during the subsequent fiscal
3 year. Each county and the department shall receive a proportionate share of the
4 remittance and transfer depending on the total number of days of placement at
5 juvenile correctional institutions including the Mendota Juvenile Treatment Center.
6 Counties shall use the funds for purposes specified in s. 301.26. The department
7 shall deposit in the general fund the amounts transferred under this paragraph to
8 the appropriation account under par. (kx).

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; 1999 a. 9, 89; 2001 a. 16; 2003 a. 33.

9 **SECTION 3.** 301.025 of the statutes is amended to read:

10 **301.025 Division of juvenile corrections.** The division of juvenile
11 corrections shall exercise the powers and perform the duties of the department that
12 relate to juvenile correctional services and institutions, juvenile offender review,
13 aftercare, corrective sanctions, the serious juvenile offender program under s.
14 938.538, the operation of the state correctional institutions authorized under s.
15 301.16 (1y), (1z), and (1zm), and youth aids.

History: 1995 a. 27, 77; 2003 a. 33.

16 **SECTION 4.** 301.03 (10) (h) of the statutes is created to read:

17 **301.03 (10) (h)** Manage the number of juveniles placed at the Lincoln Hills
18 School and the Ethan Allen School and the number of inmates placed at the state
19 correctional institutions under s. 301.16 (1y) and (1z) located on the grounds of those
20 schools so that over a 12-month period the average daily population of the Lincoln
21 Hills School and of the state correctional institution located on the grounds of that
22 school and the average daily population of the Ethan Allen School and of the state
23 correctional institution located on the grounds of that school are equal.

24 **SECTION 5.** 301.16 (1x) of the statutes is amended to read:

1 301.16 (1x) Inmates from the Wisconsin state prisons may be transferred to the
2 institutions under this section and, except as provided in subs. (1y), (1z), and (1zm),
3 they shall be subject to all laws pertaining to inmates of other penal institutions of
4 this state. Officers Except as provided in subs. (1y), (1z), and (1zm), officers and
5 employees of the institutions shall be subject to the same laws as pertain to other
6 penal institutions. Inmates shall not be received on direct commitment from the
7 courts.

History: 1979 c. 221; 1981 c. 20, 317, 387; 1983 a. 16; 1983 a. 27 ss. 953p, 953r, 2200 (15); 1985 a. 29; 1987 a. 5; 1989 a. 31 ss. 964, 964m; Stats. 1989 s. 301.16; 1991 a. 39; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2001 a. 16, 103; 2003 a. 33 ss. 2489 to 2490d, 2807, 9160.

8 **SECTION 6.** 301.16 (1y) of the statutes is created to read:

9 301.16 (1y) In addition to the institutions under sub. (1), the department shall
10 establish a medium security correctional institution located on the grounds of the
11 Lincoln Hills School near the unincorporated village of Irma in Lincoln County. The
12 institution shall be used for the placement of persons under 21 years of age who have
13 been placed in a state prison under s. 302.01. Inmates placed at the institution under
14 this subsection shall be separated physically, and by sight and sound, from juveniles
15 placed at the Lincoln Hills School and, notwithstanding sub. (1x), shall be under the
16 supervision and control of the division of juvenile corrections in the department,
17 subject to the rules and discipline of that division, and subject to all laws and rules
18 pertaining to the care of juveniles placed at Type 1 secured correctional facilities, as
19 defined in s. 938.02 (19). The institution shall be staffed by officers and employees
20 of the division of juvenile corrections in the department who, notwithstanding sub.
21 (1x), shall be subject to the same laws as apply to officers and employees of a Type
22 1 secured correctional facility. The department shall transfer funds from the
23 appropriation account under s. 20.410 (1) (ac) to the appropriation account under s.

1 20.410 (3) (hm) for the purpose of reimbursing the Lincoln Hills School for the cost
2 of operating the institution under this subsection.

3 **SECTION 7.** 301.16 (1z) of the statutes is created to read:

4 301.16 (1z) In addition to the institutions under sub. (1), the department shall
5 establish a medium security correctional institution located on the grounds of the
6 Ethan Allen School near the village of Wales in Waukesha County. The institution
7 shall be used for the placement of persons under 21 years of age who have been placed
8 in a state prison under s. 302.01. Inmates placed at the institution under this
9 subsection shall be separated physically, and by sight and sound, from juveniles
10 placed at the Ethan Allen School and, notwithstanding sub. (1x), shall be under the
11 supervision and control of the division of juvenile corrections in the department,
12 subject to the rules and discipline of that division, and subject to all laws and rules
13 pertaining to the care of juveniles placed at Type 1 secured correctional facilities, as
14 defined in s. 938.02 (19). The institution shall be staffed by officers and employees
15 of the division of juvenile corrections in the department who, notwithstanding sub.
16 (1x), shall be subject to the same laws as apply to officers and employees of a Type
17 1 secured correctional facility. The department shall transfer funds from the
18 appropriation account under s. 20.410 (1) (ac) to the appropriation account under s.
19 20.410 (3) (hm) for the purpose of reimbursing the Ethan Allen School for the cost of
20 operating the institution under this subsection.

21 **SECTION 8.** 301.16 (1zm) of the statutes is created to read:

22 301.16 (1zm) In addition to the institutions under sub. (1), the department
23 shall establish a medium security correctional institution located on the grounds of
24 the Southern Oaks Girls School near the village of Union Grove in Racine County.
25 The institution shall be used for the placement of persons under 21 years of age who

1 have been placed in a state prison under s. 302.01. Inmates placed at the institution
2 under this subsection shall be separated physically, and by sight and sound, from
3 juveniles placed at the Southern Oaks Girls School and, notwithstanding sub. (1x),
4 shall be under the supervision and control of the division of juvenile corrections in
5 the department, subject to the rules and discipline of that division, and subject to all
6 laws and rules pertaining to the care of juveniles placed at Type 1 secured
7 correctional facilities, as defined in s. 938.02 (19). The institution shall be staffed by
8 officers and employees of the division of juvenile corrections in the department who,
9 notwithstanding sub. (1x), shall be subject to the same laws as apply to officers and
10 employees of a Type 1 secured correctional facility. The department shall transfer
11 funds from the appropriation account under s. 20.410 (1) (ac) to the appropriation
12 account under s. 20.410 (3) (hm) for the purpose of reimbursing the Southern Oaks
13 Girls School for the cost of operating the institution under this subsection.

14 **SECTION 9.** 301.18 (1) (h) of the statutes is created to read:

15 301.18 (1) (h) Provide the facilities necessary for the state correctional
16 institutions authorized under s. 301.16 (1y), (1z), and (1zm).

17 **SECTION 10.** 301.26 (4) (d) 2. of the statutes is amended to read:

18 301.26 (4) (d) 2. Beginning on July 1, ~~2003~~ 2005, and ending on June 30, 2004
19 2006, the per person daily cost assessment to counties shall be \$183 the dollar
20 amounts set by the department under par. (dm) for care in a Type 1 secured
21 correctional facility, as defined in s. 938.02 (19), \$183 the dollar amounts set by the
22 department under par. (dm) for care for juveniles transferred from a juvenile
23 correctional institution under s. 51.35 (3), \$225 for care in a residential care center
24 for children and youth, \$142 for care in a group home for children, \$47 for care in a

1 foster home, \$88 for care in a treatment foster home, \$86 for departmental corrective
2 sanctions services, and \$25 for departmental aftercare services.

3 **History:** 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33.

3 **SECTION 11.** 301.26 (4) (d) 3. of the statutes is amended to read:

4 301.26 (4) (d) 3. Beginning on July 1, 2004 2006, and ending on June 30, 2005
5 2007, the per person daily cost assessment to counties shall be \$187 the dollar
6 amounts set by the department under par. (dm) for care in a Type 1 secured
7 correctional facility, as defined in s. 938.02 (19), \$187 the dollar amounts set by the
8 department under par. (dm) for care for juveniles transferred from a juvenile
9 correctional institution under s. 51.35 (3), \$239 for care in a residential care center
10 for children and youth, \$149 for care in a group home for children, \$49 for care in a
11 foster home, \$92 for care in a treatment foster home, \$87 for departmental corrective
12 sanctions services, and \$26 for departmental aftercare services.

13 **History:** 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33.

13 **SECTION 12.** 301.26 (4) (dm) of the statutes is created to read:

14 301.26 (4) (dm) The department shall set the per person cost assessments to
15 counties under par. (d) 2. and 3. for care in a Type 1 secured correctional facility, as
16 defined in s. 938.02 (19), and for care for juveniles transferred from a juvenile
17 correctional institution under s. 51.35 (3). In setting those assessments, the
18 department may set one assessment for short-term placements of 30 days or less and
19 another assessment for long-term placements of more than 30 days. The
20 department shall set those assessments at least annually, effective on July 1 of each
21 year, and may adjust those assessments more frequently as necessary to reflect the
22 average per person daily cost of providing that care. The department shall publish
23 those assessments and any adjustments to those assessments in the Wisconsin
24 Administrative Register and is not required to promulgate those assessments or

1 adjustments as rules under ch. 227. If the department increases an assessment
2 under this paragraph, the department shall increase the funds allocated to counties
3 under sub. (3) (c) in proportion to each county's proportional use of those services.

4 **SECTION 13.** 302.01 (13) of the statutes is created to read:

5 302.01 (13) The medium security correctional institution authorized under s.
6 301.16 (1y) is named the Lincoln Hills Youthful Offender Correctional Facility.

7 **SECTION 14.** 302.01 (14) of the statutes is created to read:

8 302.01 (14) The medium security correctional institution authorized under s.
9 301.16 (1z) is named the Ethan Allen Youthful Offender Correctional Facility.

10 **SECTION 15.** 302.01 (15) of the statutes is created to read:

11 302.01 (15) The medium security correctional institution authorized under s.
12 301.16 (1y) is named the Southern Oaks Youthful Offender Correctional Facility.

13 **SECTION 16. Nonstatutory provisions.**

14 (1) YOUTH AIDS DAILY RATES. Notwithstanding section 301.26 (4) (d) 2. and 3. of
15 the statutes, as affected by this act, the per person daily cost assessments to counties
16 for care in a Type 1 secured correctional facility, as defined in section 938.02 (19) of
17 the statutes, and for care for juveniles transferred from a juvenile correctional
18 institution under section 51.35 (3) of the statutes specified in section 301.26 (4) (d)
19 2. of the statutes on the day before the effective date of this subsection or section
20 301.26 (4) (d) 3. of the statutes on the day before the effective date of this subsection,
21 whichever is applicable, remain in effect until the publication in the Wisconsin
22 Administrative Register of the assessments specified in section 301.26 (4) (dm) of the
23 statutes, as created by this act.

24 **SECTION 17. Effective date.**

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

LRB-0338/P1dn

GMM...

(date)

Representative Friske:

I was unable to draft the portion of your drafting instructions that would allow the Department of Corrections (DOC) to have access to the compensation reserve fund to cover the time frame between the ratification of a collective bargaining agreement and the beginning of the next fiscal year because it appears from my reading of the statutes that the DOC program revenue programs already have access to those funds. Specifically, s. 20.865 (1) (i) appropriates a sum sufficient, from the appropriate program revenue and program revenue-service appropriation accounts, to supplement the appropriations to state agencies for the cost of compensation and related adjustments for represented and nonrepresented employees. Moreover, the Summary of Compensation Reserves at Figure 20.005 (1) of the 2003-05 state budget indicates that \$83,811,200 of program revenue in 2003-04 and \$125,170,900 of program revenue in 2004-05 are designated as compensation reserves. Accordingly, it appears that no language change is necessary to enable DOC to have access to the compensation reserve fund; rather, DOC may access those funds through the supplementation procedures found at s. 20.928 under current law.

The biennial budget act establishes the appropriation schedule for the biennium. As such, that schedule may not be changed until the budget is enacted. Accordingly, this preliminary draft includes an effective date provision providing that the preliminary draft, including the new appropriation for youthful offender facilities, does not take effect at least until the budget takes effect. In the alternative, you might wish at some point to have this preliminary draft redrafted as a budget amendment or wait until after enactment of the budget to pursue enactment of this preliminary draft.

If you have any questions about this preliminary draft or have any follow-up drafting instructions, please do not hesitate to contact me at the e-mail address or phone number listed below.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0338/P1dn
GMM:lmk&kjf:pg

December 8, 2004

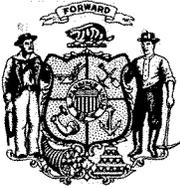
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The biennial budget act establishes the appropriation schedule for the biennium. As such, that schedule may not be changed until the budget is enacted. Accordingly, this preliminary draft includes an effective date provision providing that the preliminary draft, including the new appropriation for youthful offender facilities, does not take effect at least until the budget takes effect. In the alternative, you might wish at some point to have this preliminary draft redrafted as a budget amendment or wait until after enactment of the budget to pursue enactment of this preliminary draft.

If you have any questions about this preliminary draft or have any follow-up drafting instructions, please do not hesitate to contact me at the e-mail address or phone number listed below.

Gordon M. Malaise
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State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0338/P1
GMM:lmk&kjf:pg

This week
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~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Reegen

A

1 AN ACT *to amend* 20.410 (3) (hm), 301.025, 301.16 (1x), 301.26 (4) (d) 2. and
 2 301.26 (4) (d) 3.; and *to create* 20.410 (1) (ac), 301.03 (10) (h), 301.16 (1y),
 3 301.16 (1z), 301.16 (1zm), 301.18 (1) (h), 301.26 (4) (dm), 302.01 (13), 302.01 (14)
 4 and 302.01 (15) of the statutes; **relating to:** the establishment of medium
 5 security correctional institutions on the grounds of the Lincoln Hills School, the
 6 Ethan Allen School, and the Southern Oaks Girls School; authorization for the
 7 Department of Corrections to set the youth aids daily rates for care of a juvenile
 8 in a secured correctional facility or a treatment facility; and making an
 9 appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the court assigned to exercise jurisdiction under the Juvenile Justice Code (juvenile court) ordinarily exercises jurisdiction over a juvenile who is alleged to have committed a delinquent act and, upon adjudicating the juvenile delinquent, may place the juvenile in a secured correctional facility such as the Lincoln Hills School, the Ethan Allen School, or the Southern Oaks Girls School. Under certain circumstances, however, the juvenile court may waive its jurisdiction over a juvenile or a juvenile may be subject to the original jurisdiction

of the court of criminal jurisdiction, in which case the juvenile, upon conviction, is subject to criminal penalties, including a sentence of imprisonment in the Wisconsin state prisons where the juvenile is subject to the laws pertaining to inmates of the penal institutions of this state.

This bill requires the Department of Corrections (DOC) to establish medium security correctional institutions on the grounds of the Lincoln Hills School, the Ethan Allen School, and the Southern Oaks Girls School for persons under 21 years of age who have been sentenced to the Wisconsin state prisons. The bill requires an inmate placed in one of those institutions to be separated physically, and by sight and sound, from a juvenile placed in the school on whose grounds the institution is located. The bill also specifies that such an inmate is under the supervision and control of the Division of Juvenile Corrections in DOC, is subject to the rules and discipline of that division, and is subject to the laws and rules pertaining to the care of juveniles placed in juvenile secured correctional facilities rather than to the laws pertaining to inmates of the penal institutions of this state. In addition, the bill requires those institutions to be staffed by officers and employees of the Division of Juvenile Corrections in DOC rather than by correctional officers whose primary duty is to supervise inmates at a prison and specifies that those officers and employees are subject to the laws and rules pertaining to the care of juveniles placed in juvenile secured correctional facilities rather than to the laws pertaining to penal institutions.

Under current law relating to community youth and family aids, generally referred to as "youth aids," DOC is required to allocate various state and federal moneys to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. DOC charges counties for the cost of services provided by DOC according to per person daily cost assessments specified in the statutes. Currently, those assessments include assessments of \$187 for care in a juvenile secured correctional facility or a treatment facility. \$203

This bill eliminates those statutorily set assessments and instead directs DOC to set those assessments at least annually. The bill permits DOC to set one assessment for short-term placements of 30 days or less and another assessment for long-term placements of more than 30 days and permits DOC to adjust those assessments more frequently than annually as necessary to reflect the per person average daily cost of providing that care. The bill requires DOC to publish those assessments and adjustments in the Wisconsin Administrative Register and excepts DOC from having to promulgate those assessments and adjustments as rules. The bill also requires DOC to increase the youth aids funds allocated to counties if DOC increases an assessment under the bill.

Finally, the bill requires DOC to manage the number of juveniles placed at the Lincoln Hills School and at the Ethan Allen School and the number of inmates placed at the medium security correctional institutions located on the grounds of those schools so that over a 12-month period the average daily population of the Lincoln Hills School and of the institution located on its grounds and the average daily population of the Ethan Allen School and of the institution located on its grounds are equal.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

^ insert action phrase (schedule)

1		2005-06	2006-07
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2 **20.410 Corrections, department of**

3 (1) ADULT CORRECTIONAL SERVICES

4	(ac) Youthful offender facilities	GPR	A	-0-	-0-
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5 **SECTION 1.** 20.410 (1) (ac) of the statutes is created to read:

6 20.410 (1) (ac) *Youthful offender facilities*. The amounts in the schedule to be
7 transferred to the appropriation account under sub. (3) (hm) for the purpose of
8 operating the correctional institutions under s. 301.16 (1y), (1z), and (1zm).

9 ~~**SECTION 2.** 20.410 (3) (hm) of the statutes is amended to read:~~

10 20.410 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho)
11 and (hr), the amounts in the schedule for juvenile correctional services specified in
12 s. 301.26 (4) (c) and (d) and to operate the correctional institutions authorized under
13 s. 301.16 (1y), (1z), and (1zm). All moneys received from the sale of surplus property,
14 including vehicles, from juvenile correctional institutions operated by the
15 department, all moneys received as payments in restitution of property damaged at
16 juvenile correctional institutions operated by the department, all moneys received
17 from miscellaneous services provided at a juvenile correctional institution operated
18 by the department, all moneys transferred under s. 301.26 (4) (cm), all moneys
19 transferred under s. 301.16 (1y), (1z), and (1zm), and, except as provided in par. (hr),
20 all moneys received in payment for juvenile correctional services specified in s.

1 ~~301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If moneys~~
2 ~~generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year~~
3 ~~institutional costs, other than the costs of operating the correctional institutions~~
4 ~~authorized under s. 301.16 (1y), (1z), and (1zm), by 2% or more, all moneys in excess~~
5 ~~of that 2% shall be remitted to the counties during the subsequent calendar year or~~
6 ~~transferred to the appropriation account under par. (kx) during the subsequent fiscal~~
7 ~~year. Each county and the department shall receive a proportionate share of the~~
8 ~~remittance and transfer depending on the total number of days of placement at~~
9 ~~juvenile correctional institutions including the Mendota Juvenile Treatment Center.~~
10 ~~Counties shall use the funds for purposes specified in s. 301.26. The department~~
11 ~~shall deposit in the general fund the amounts transferred under this paragraph to~~
12 ~~the appropriation account under par. (kx).~~

13 ^{insert 412} SECTION 3. 301.025 of the statutes is amended to read:

14 **301.025 Division of juvenile corrections.** The division of juvenile
15 corrections shall exercise the powers and perform the duties of the department that
16 relate to juvenile correctional services and institutions, juvenile offender review,
17 aftercare, corrective sanctions, the serious juvenile offender program under s.
18 938.538, the operation of the state correctional institutions authorized under s.
19 301.16 (1y), (1z), and (1zm), and youth aids.

20 SECTION 4. 301.03 (10) (h) of the statutes is created to read:

21 301.03 (10) (h) Manage the number of juveniles placed at the Lincoln Hills
22 School and the Ethan Allen School and the number of inmates placed at the state
23 correctional institutions under s. 301.16 (1y) and (1z) located on the grounds of those
24 schools so that over a 12-month period the average daily population of the Lincoln
25 Hills School and of the state correctional institution located on the grounds of that

1 school and the average daily population of the Ethan Allen School and of the state
2 correctional institution located on the grounds of that school are equal.

3 **SECTION 5.** 301.16 (1x) of the statutes is amended to read:

4 301.16 (1x) Inmates from the Wisconsin state prisons may be transferred to the
5 institutions under this section and, except as provided in subs. (1y), (1z), and (1zm),
6 they shall be subject to all laws pertaining to inmates of other penal institutions of
7 this state. Officers Except as provided in subs. (1y), (1z), and (1zm), officers and
8 employees of the institutions shall be subject to the same laws as pertain to other
9 penal institutions. Inmates shall not be received on direct commitment from the
10 courts.

11 **SECTION 6.** 301.16 (1y) of the statutes is created to read:

12 301.16 (1y) In addition to the institutions under sub. (1), the department shall
13 establish a medium security correctional institution located on the grounds of the
14 Lincoln Hills School near the unincorporated village of Irma in Lincoln County. The
15 institution shall be used for the placement of persons under 21 years of age who have
16 been placed in a state prison under s. 302.01. Inmates placed at the institution under
17 this subsection shall be separated physically, and by sight and sound, from juveniles
18 placed at the Lincoln Hills School and, notwithstanding sub. (1x), shall be under the
19 supervision and control of the division of juvenile corrections in the department,
20 subject to the rules and discipline of that division, and subject to all laws and rules
21 pertaining to the care of juveniles placed at Type 1 secured correctional facilities, as
22 defined in s. 938.02 (19). The institution shall be staffed by officers and employees
23 of the division of juvenile corrections in the department who, notwithstanding sub.
24 (1x), shall be subject to the same laws as apply to officers and employees of a Type
25 1 secured correctional facility. The department shall transfer funds from the

1 appropriation account under s. 20.410 (1) (ac) to the appropriation account under s.
2 20.410 (3) (hm) for the purpose of reimbursing the Lincoln Hills School for the cost
3 of operating the institution under this subsection.

4 **SECTION 7.** 301.16 (1z) of the statutes is created to read:

5 301.16 (1z) In addition to the institutions under sub. (1), the department shall
6 establish a medium security correctional institution located on the grounds of the
7 Ethan Allen School near the village of Wales in Waukesha County. The institution
8 shall be used for the placement of persons under 21 years of age who have been placed
9 in a state prison under s. 302.01. Inmates placed at the institution under this
10 subsection shall be separated physically, and by sight and sound, from juveniles
11 placed at the Ethan Allen School and, notwithstanding sub. (1x), shall be under the
12 supervision and control of the division of juvenile corrections in the department,
13 subject to the rules and discipline of that division, and subject to all laws and rules
14 pertaining to the care of juveniles placed at Type 1 secured correctional facilities, as
15 defined in s. 938.02 (19). The institution shall be staffed by officers and employees
16 of the division of juvenile corrections in the department who, notwithstanding sub.
17 (1x), shall be subject to the same laws as apply to officers and employees of a Type
18 1 secured correctional facility. The department shall transfer funds from the
19 appropriation account under s. 20.410 (1) (ac) to the appropriation account under s.
20 20.410 (3) (hm) for the purpose of reimbursing the Ethan Allen School for the cost of
21 operating the institution under this subsection.

22 **SECTION 8.** 301.16 (1zm) of the statutes is created to read:

23 301.16 (1zm) In addition to the institutions under sub. (1), the department
24 shall establish a medium security correctional institution located on the grounds of
25 the Southern Oaks Girls School near the village of Union Grove in Racine County.

1 The institution shall be used for the placement of persons under 21 years of age who
2 have been placed in a state prison under s. 302.01. Inmates placed at the institution
3 under this subsection shall be separated physically, and by sight and sound, from
4 juveniles placed at the Southern Oaks Girls School and, notwithstanding sub. (1x),
5 shall be under the supervision and control of the division of juvenile corrections in
6 the department, subject to the rules and discipline of that division, and subject to all
7 laws and rules pertaining to the care of juveniles placed at Type 1 secured
8 correctional facilities, as defined in s. 938.02 (19). The institution shall be staffed by
9 officers and employees of the division of juvenile corrections in the department who,
10 notwithstanding sub. (1x), shall be subject to the same laws as apply to officers and
11 employees of a Type 1 secured correctional facility. The department shall transfer
12 funds from the appropriation account under s. 20.410 (1) (ac) to the appropriation
13 account under s. 20.410 (3) (hm) for the purpose of reimbursing the Southern Oaks
14 Girls School for the cost of operating the institution under this subsection.

15 **SECTION 9.** 301.18 (1) (h) of the statutes is created to read:

16 301.18 (1) (h) Provide the facilities necessary for the state correctional
17 institutions authorized under s. 301.16 (1y), (1z), and (1zm).

18 **SECTION 10.** ~~301.26 (4) (d) 2. of the statutes is amended to read:~~

19 ~~301.26 (4) (d) 2. Beginning on July 1, 2003 2005, and ending on June 30, 2004~~
20 ~~2006, the per person daily cost assessment to counties shall be \$183 the dollar~~
21 ~~amounts set by the department under par. (dm) for care in a Type 1 secured~~
22 ~~correctional facility, as defined in s. 938.02 (19), \$183 the dollar amounts set by the~~
23 ~~department under par. (dm) for care for juveniles transferred from a juvenile~~
24 ~~correctional institution under s. 51.35 (3), \$225 for care in a residential care center~~
25 ~~for children and youth, \$142 for care in a group home for children, \$47 for care in a~~

1 foster home, \$88 for care in a treatment foster home, \$86 for departmental corrective
2 sanctions services, and \$25 for departmental aftercare services.

3 SECTION 11. 301.26 (4) (d) 3. of the statutes is amended to read:

4 301.26 (4) (d) 3. Beginning on July 1, 2004 2006, and ending on June 30, 2005
5 2007, the per person daily cost assessment to counties shall be \$187 the dollar
6 amounts set by the department under par. (dm) for care in a Type 1 secured
7 correctional facility, as defined in s. 938.02 (19), \$187 the dollar amounts set by the
8 department under par. (dm) for care for juveniles transferred from a juvenile
9 correctional institution under s. 51.35 (3), \$239 for care in a residential care center
10 for children and youth, \$149 for care in a group home for children, \$49 for care in a
11 foster home, \$92 for care in a treatment foster home, \$87 for departmental corrective
12 sanctions services, and \$26 for departmental aftercare services.

13 SECTION 12. 301.26 (4) (dm) of the statutes is created to read:

14 301.26 (4) (dm) The department shall set the per person cost assessments to
15 counties under par. (d) 2. and 3. for care in a Type 1 secured correctional facility, as
16 defined in s. 938.02 (19), and for care for juveniles transferred from a juvenile
17 correctional institution under s. 51.35 (3). In setting those assessments, the
18 department may set one assessment for short-term placements of 30 days or less and
19 another assessment for long-term placements of more than 30 days. The
20 department shall set those assessments at least annually, effective on July 1 of each
21 year, and may adjust those assessments more frequently as necessary to reflect the
22 average per person daily cost of providing that care. The department shall publish
23 those assessments and any adjustments to those assessments in the Wisconsin
24 Administrative Register and is not required to promulgate those assessments or
25 adjustments as rules under ch. 227. If the department increases an assessment

Insert
8-12-12

1 under this paragraph, the department shall increase the funds allocated to counties
2 under sub. (3) (c) in proportion to each county's proportional use of those services.

3 **SECTION 13.** 302.01 (13) of the statutes is created to read:

4 302.01 (13) The medium security correctional institution authorized under s.
5 301.16 (1y) is named the Lincoln Hills Youthful Offender Correctional Facility.

6 **SECTION 14.** 302.01 (14) of the statutes is created to read:

7 302.01 (14) The medium security correctional institution authorized under s.
8 301.16 (1z) is named the Ethan Allen Youthful Offender Correctional Facility.

9 **SECTION 15.** 302.01 (15) of the statutes is created to read:

10 302.01 (15) The medium security correctional institution authorized under s.
11 301.16 (1y) is named the Southern Oaks Youthful Offender Correctional Facility.

12 **SECTION 16. Nonstatutory provisions.**

13 (1) YOUTH AIDS DAILY RATES. Notwithstanding section 301.26 (4) (d) 2. and 3. of
14 the statutes, as affected by this act, the per person daily cost assessments to counties
15 for care in a Type 1 secured correctional facility, as defined in section 938.02 (19) of
16 the statutes, and for care for juveniles transferred from a juvenile correctional
17 institution under section 51.35 (3) of the statutes specified in section 301.26 (4) (d)
18 2. of the statutes on the day before the effective date of this subsection or section
19 301.26 (4) (d) 3. of the statutes on the day before the effective date of this subsection,
20 whichever is applicable, remain in effect until the publication in the Wisconsin
21 Administrative Register of the assessments specified in section 301.26 (4) (dm) of the
22 statutes, as created by this act.

23 **SECTION 17. Effective date.**

1 ~~(1) YOUTHFUL OFFENDER FACILITIES AND YOUTH AIDS DAILY RATES. This act takes~~
2 ~~effect on July 1, 2005, on the 2nd day after publication of the 2005-07 biennial budget~~
3 ~~act, or on the day after publication, whichever is latest.~~

4 (END)

Insert 4-12

as affected by 2005 Wisconsin Act 25

Section #. 20.410 (3) (hm) of the statutes is amended to read:

and to operate the correctional institutions authorized under s. 301.16 (1y), (1z), and (1zm).

20.410 (3) (hm) *Juvenile correctional services.* Except as provided in pars. (ho) and (hr), the amounts in the schedule for juvenile correctional services specified in s. 301.26 (4) (c) and (d). All moneys received from the sale of surplus property, including vehicles, from juvenile correctional institutions operated by the department, all moneys received as payments in restitution of property damaged at juvenile correctional institutions operated by the department, all moneys received from miscellaneous services provided at a juvenile correctional institution operated by the department, all moneys transferred from the appropriation account under pars. (ho) and (hr) as provided in 2005 Wisconsin Act 25, section 9209 (1x), all moneys transferred under s. 301.26 (4) (cm) and, except as provided in par. (hr), all moneys received in payment for juvenile correctional services specified in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year institutional costs by 2% or more, all moneys in excess of that 2% shall be remitted to the counties during the subsequent calendar year or transferred to the appropriation account under par. (kx) during the subsequent fiscal year. Each county and the department shall receive a proportionate share of the remittance and transfer depending on the total number of days of placement at juvenile correctional institutions including the Mendota Juvenile Treatment Center. Counties shall use the funds for purposes specified in s. 301.26. The department shall deposit in the general fund the amounts transferred under this paragraph to the appropriation account under par. (kx).

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; 1999 a. 9, 89; 2001 a. 16; 2003 a. 33; 2005 a. 25 ss. 287 to 295m, 414t, 415wr.

other than the costs of operating the correctional institutions authorized under s. 301.16 (1y), (1z), and (1zm)

all moneys transferred under s. 301.16 (1y), (1z), and (1zm)

Inset 8-b

as affected by 2005 Wisconsin Act 25,

Section #. 301.26 (4) (d) 2. of the statutes is amended to read:

the dollar amounts set by the department under par. (dm)

301.26 (4) (d) 2. Beginning on July 1, 2005, and ending on June 30, 2006, the per person daily cost assessment to counties shall be ~~\$203~~ for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~\$203~~ for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), \$234 for care in a residential care center for children and youth, \$157 for care in a group home for children, \$47 for care in a foster home, \$83 for care in a treatment foster home, \$81 for departmental corrective sanctions services, and \$32 for departmental aftercare services.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25.

[Insert 8-12]

, as affected by 2005 Wisconsin Act 26,

(use twice)

Section #. 301.26 (4) (d) 3. of the statutes is amended to read:

the dollar amounts set by the department under par. (d)m

301.26 (4) (d) 3. Beginning on July 1, 2006, and ending on June 30, 2007, the per person daily cost assessment to counties shall be ~~\$209~~ for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~\$209~~ for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), \$244 for care in a residential care center for children and youth, \$163 for care in a group home for children, \$50 for care in a foster home, \$87 for care in a treatment foster home, \$82 for departmental corrective sanctions services, and \$33 for departmental aftercare services.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25.

Ced of insert

Northrop, Lori

From: Gary, Tim

Sent: Friday, September 16, 2005 2:59 PM

To: LRB.Legal

Subject: Draft review: LRB 05-0338/1 Topic: Juvenile correctional facility changes

It has been requested by <Gary, Tim> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-0338/1 Topic: Juvenile correctional facility changes

09/16/2005