



2007 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB40)

Received: **06/25/2007**

Received By: **rryan**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Onsager**

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: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Onsager -

Topic:

Transfer office of justice assistance; youth diversion grants; milwaukee pre-sentencing assessment grant and TAD funding

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>
/?	rryan 06/28/2007	kfollett 06/28/2007 csicilia 07/03/2007		_____			
/1	rryan 07/05/2007	kfollett 07/05/2007	jfrantze 07/03/2007	_____	cduerst 07/03/2007		
/2	rryan	kfollett	jfrantze	_____	cduerst		

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/4	chanaman 07/06/2007	csicilia 07/06/2007	jfrantze 07/06/2007	_____	cduerst 07/06/2007		
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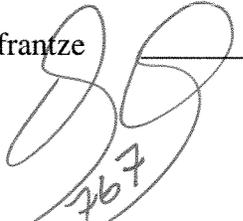
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60581

Representative Suder

ADMINISTRATION -- OFFICE OF JUSTICE ASSISTANCE

Realignment and Transfer of Office of Justice Assistance Functions

Motion:

Move to transfer the administration of federal homeland security grant funding to the Division of Emergency Management in the Department of Military Affairs (DMA) by: (a) creating a federal continuing appropriation under DMA for the receipt and expenditure of funds for homeland security programs; (b) enumerating as a statutory duty of the Adjutant General, the administration of federal homeland security funds; (c) delete the federal aid, homeland security appropriation under OJA which is utilized to receive and expend funding for federal homeland security programs; and (d) delete the requirement that DOA's Office of Justice Assistance (OJA) apply for contracts and receive and expend federal funds related to homeland security.

In addition, subsequent to Committee action setting the remaining funding and position authority for OJA for the 2007-09 biennium: (a) delete the Executive Director position under OJA and its associated funding of \$19,700 GPR and \$111,700 FED annually; (b) provide that OJA would no longer be organized as an attached office; (c) transfer OJA's appropriations under DOA to the Department of Justice (DOJ); and (d) transfer the responsibilities and statutory language outlining the duties of OJA to DOJ.

Funding LFB

Note:

Prior to the 2003-05 biennial budget, federal homeland security funding was administered by DMA. This motion would transfer the administration of federal homeland security funding back to DMA, and would transfer OJA staff and responsibilities to DOJ.

[Change to Bill: -\$39,400 GPR and -0.15 GPR positions, and -\$223,400 FED and -0.85 FED positions]

[Change to Base: -\$39,400 GPR and -0.15 GPR positions, and -\$223,400 FED and -0.85 FED positions]



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0581/?

RLR:.....

CS

Now

LFB:.....Onsager - Transfer office of justice assistance; youth diversion grants; milwaukee pre-sentencing assessment grant and TAD funding

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

D-N

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

2 1. Page 17, line 19: delete lines 19 to 20 and substitute

no B

3 "or independent agency. The office of ~~justice assistance~~ energy independence
4 in the department of".

5 2. Page 18, line 5: delete lines 5 to 7 and substitute

no B

6 "division shall be headed by an "administrator". The office of ~~justice assistance~~
7 the Wisconsin Covenant Scholars Program in the department of administration and
8 the office of credit unions in the".

9 3. Page 19, line 13: delete lines 13 to 16 and substitute:

1 "SECTION 33m. 15.105 (19) of the statutes is repealed." ✓ x

2 4. Page 23, line 20: after that line insert:

3 "SECTION 67g. 15.255 (1) (a) (intro.) of the statutes is amended to read:

4 15.255 (1) (a) (intro.) The board shall be composed of 15¹⁴ members as follows:

History: 1971 c. 40; 1977 c. 29; 1981 c. 9; 1983 a. 27; 1987 a. 27, 403; 1991 a. 316; 1997 a. 181.

5 SECTION 67m. 15.255 (1) (a) 7. of the statutes is repealed." ✓ x

6 5. Page 39, line 16 delete the material beginning with that line and ending
7 with page 40, line 2. ✓

8 6. Page 50, line 7: after that line insert:

9 "SECTION 118e. 16.964 (title) of the statutes is repealed.

10 SECTION 118g. 16.964 (1) (intro.) of the statutes is repealed.

11 *Fix component* → SECTION 118i. 16.964 (1) (a) of the statutes is renumbered 165.25 (12) *and*

12 amended to read:

13 165.25 (12) JUVENILE JUSTICE AND DELINQUENCY PREVENTION. Serve as the state
14 planning agency under the juvenile justice and delinquency prevention act of 1974,
15 P.L. 93-415.

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

16 SECTION 118k. 16.964 (1) (b) of the statutes is renumbered 165.25 (13) and
17 amended to read:

18 165.25 (13) JUVENILE JUSTICE IMPROVEMENT PLAN. Prepare a state
19 comprehensive juvenile justice improvement plan ~~on behalf of the governor~~. The
20 plan shall be submitted to the joint committee on finance in accordance with s. 16.54
21 and to the appropriate standing committees of each house of the legislature as
22 determined by the presiding officer of each house. The plan shall be updated

1 periodically and shall be based on an analysis of the state's juvenile justice needs and
2 problems.

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

3 **SECTION 118m.** 16.964 (1) (c) of the statutes is renumbered 165.25 (14) and
4 amended to read:

fix component

5 **165.25 (14) RECOMMEND LEGISLATION.** Recommend appropriate legislation in
6 the criminal and juvenile justice field to the governor and the legislature.

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

7 **SECTION 118o.** 16.964 (1) (d) of the statutes is renumbered 165.25 (15) and
8 amended to read:

fix component

9 **165.25 (15) COOPERATION AND ASSISTANCE.** Cooperate with and render technical
10 assistance to state agencies and units of local government and public or private
11 agencies relating to the criminal and juvenile justice system.

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

12 **SECTION 118q.** 16.964 (1) (e) of the statutes is repealed.”.

13 **7.** Page 50, line 8: delete that line and substitute:

14 “**SECTION 119c.** 16.964 (1) (f) of the statutes is renumbered 165.83 (2) (jm) and
15 amended to read:

16 165.83 (2) (jm) Maintain a statistical analysis center to serve as a clearing
17 house of justice system data and information and conduct justice system research
18 and data analysis ~~under this section.~~”.

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

19 **8.** Page 50, line 8: after that line insert:

20 “**SECTION 119e.** 16.964 (1) (g) of the statutes is renumbered 165.83 (2) (em) and
21 amended to read:

1 165.83 (2) (em) Collect information concerning the number and nature of
 2 offenses known to have been committed in this state and such other information as
 3 may be useful in the study of crime and the administration of justice. The office
 4 department may determine any other information to be obtained regarding crime
 5 and justice system statistics. The information shall include data requested by the
 6 federal bureau of investigation under its system of uniform crime reports for the
 7 United States.

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

8 **SECTION 119g.** 16.964 (1) (h) of the statutes is repealed.

9 **SECTION 119i.** 16.964 (1) (i) of the statutes is repealed.

10 **SECTION 119k.** 16.964 (2) of the statutes is renumbered 165.84 (4m) and
 11 amended to read:

12 165.84 (4m) All persons in charge of law enforcement and tribal law
 13 enforcement agencies and other criminal and juvenile justice system agencies shall
 14 supply the office ^{department} with the information described in sub. (1) (g) s. 165.83 (2) (em) on the
 15 basis of the forms or instructions or both to be supplied by the office ~~under sub. (1)~~
 16 department under s. 165.83 (2) (g)."

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

17 **9.** Page 50, line 9: delete lines 9 to 11 and substitute:

18 "SECTION 120g. 16.964 (3) of the statutes is repealed."

19 **10.** Page 50, line 11: after that line insert:

20 **SECTION 120m.** 16.964 (5) of the statutes is renumbered 165.986 and 165.986

21 (1), (3) (intro.) and (4), as renumbered, are amended to read:

22 **165.986 Law enforcement officer supplement grants.** (1) The office
 23 department shall provide grants from the appropriation under s. ~~20.505 (6) (c)~~ to

PLAIN

and (6)

20.455 (a)(c)

section

1 cities to employ additional uniformed law enforcement officers whose primary duty
 2 is beat patrolling. A city is eligible for a grant under this subsection in fiscal year
 3 1994-95 if the city has a population of 25,000 or more. A city may receive a grant
 4 for a calendar year if the city applies for a grant before September 1 of the preceding
 5 calendar year. Grants shall be awarded to the 10 eligible cities submitting an
 6 application for a grant that have the highest rates of violent crime index offenses in
 7 the most recent full calendar year for which data is available under the uniform
 8 crime reporting system of the federal bureau of investigation.

9 (3) During the first 6 months of the first year of a grant, a city may, with the
 10 approval of the office department, use part of the grant for the payment of salary and
 11 fringe benefits for overtime provided by uniformed law enforcement officers whose
 12 primary duty is beat patrolling. A city may submit a request to the office department
 13 for a 3-month extension of the use of the grant for the payment of overtime costs.
 14 To be eligible to use part of the first year's grant for overtime costs, the city shall
 15 provide the office department with all of the following:

16 (4) The office department shall develop criteria which, notwithstanding s.
 17 227.10 (1), need not be promulgated as rules under ch. 227, for use in determining
 18 the amount to grant to cities under this subsection. The office department may not
 19 award an annual grant in excess of \$150,000 to any city. The office department shall
 20 review any application and plan submitted under par. (b) sub. (2) to determine if that
 21 application and plan meet the requirements of this subsection. The grant that a city
 22 receives under this subsection section may not supplant existing local resources.

JNS
5-8

section

section

JNS 5-22 →

23

1 (f) The office may make grants to additional cities with a population of 25,000
2 or more after fiscal year 1994-95. Eligibility for grants under this paragraph shall
3 be determined and allocations made as provided in this subsection.

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433

4 **SECTION 120o.** 16.964 (11) of the statutes is renumbered 165.935 and amended
5 to read:

122e

department of justice

6 **165.935 Services for sexual assault victims.** From the appropriation under
7 s. 20.505 (6) 20.455 (5) (gj), the office shall provide grants to nonprofit organizations
8 that provide services to victims of sexual assault. The office shall develop criteria
9 and procedures for use in selecting grantees and administering the grant program.
10 Notwithstanding s. 227.10 (1), the criteria and procedures need not be promulgated
11 as rules under ch. 227.”

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

12 **11.** Page 50, line 12: delete that line and substitute:

13 **SECTION 122d.** 16.964 (10) of the statutes is renumbered 165.987 and 165.987

14 (2) and (3) (intro.) and (e), as renumbered, are amended to read:

15 ~~165.987~~ (2) From the appropriation under s. 20.505 (6) ~~(ke)~~ 20.455 (2) (kb), the
16 office department of justice shall provide grants to law enforcement agencies for the
17 purchase, installation, or maintenance of digital recording equipment for making
18 audio or audio and visual recordings of custodial interrogations or for training
19 personnel to use such equipment. Grants awarded under this subsection may be
20 used to reimburse law enforcement agencies for expenses incurred or payments
21 made on or after July 7, 2005. Grants awarded under this subsection may be used
22 to support recording of custodial interrogations of either juveniles or adults and of
23 interrogations related to either misdemeanor or felony offenses. The office

section

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where shown

(1) (Intro.)

JWS
6-14

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section

1 department of justice may award more than one grant under this subsection to a law
2 enforcement agency. The office department of justice shall develop criteria and
3 procedures to administer this subsection. Notwithstanding s. 227.10 (1), the criteria
4 and procedures need not be promulgated as rules under ch. 227.

5 (3) A law enforcement agency shall include the following information in an
6 application for a grant under this subsection section:

7 (e) Any other information required by the office department of justice.

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

8 **12.** Page 50, line 13: delete the material beginning with that line and ending
9 with page 51, line 7 and substitute: e 122 x

10 "SECTION **123m.** 16.964 (12) of the statutes is renumbered 165.95 and 165.95
11 (1) (intro.), (2), (3) (intro.) and (k), ⁽⁴⁾⁵ (5), (6), (7), (8), (9), (10), and (11), as renumbered,
12 are amended to read: PLAIN

13 **165.95 (1)** (intro.) In this subsection section, "violent offender" means a person
14 to whom one of the following applies:

department of justice

15 (2) The office department of justice shall make grants to counties to enable
16 them to establish and operate programs, including suspended and deferred
17 prosecution programs and programs based on principles of restorative justice, that
18 provide alternatives to prosecution and incarceration for criminal offenders who
19 abuse alcohol or other drugs. The office shall make the grants from the
20 appropriations under s. 20.505 (6) (b) and (ku) 20.455 (2) (em) and (kx). The office
21 department of justice shall collaborate with the departments of corrections and
22 health and family services in establishing this grant program.

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

1 (3) (intro.) A county shall be eligible for a grant under ~~par. (b) sub. (2)~~ if all of
2 the following apply: pars. (a) and (b)

3 (k) The county complies with other eligibility requirements established by the
4 office department of justice to promote the objectives listed in ~~subds. 1. and 2.~~

5 (5) (a) A county that receives a grant under this ~~subsection~~ section shall create
6 an oversight committee to advise the county in administering and evaluating its
7 program. Each committee shall consist of a circuit court judge, the district attorney
8 or his or her designee, the state public defender or his or her designee, a local law
9 enforcement official, a representative of the county, a representative of each other
10 county agency responsible for providing social services, including services relating
11 to child welfare, mental health, and the Wisconsin Works program, representatives
12 of the departments of corrections and health and family services, a representative
13 from private social services agencies, a representative of substance abuse treatment
14 providers, and other members to be determined by the county.

15 (b) A county that receives a grant under this ~~subsection~~ section shall comply
16 with state audits and shall submit an annual report to the ~~office~~ and to the oversight
17 committee created under ~~subd. 1. par. (a)~~ regarding the impact of the program on jail
18 and prison populations and its progress in attaining the goals specified in ~~par. (e) 2.~~
19 ~~and 6~~ sub. (3) (b) and (f).

20 (6) Two or more counties may jointly apply for and receive a grant under this
21 ~~subsection~~ section. If counties submit a joint application, they shall include with
22 their application a written agreement specifying each county department's role in
23 developing, administering, and evaluating the program. The oversight committee
24 established under ~~par. (e) 1.~~ shall consist of representatives from each county.

INS
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department of
justice

sub. (5) (a)

1 (7) Grants provided under this ~~subsection~~ section shall be provided on a
2 calendar year basis beginning on January 1, 2007. If the ~~office~~ department of justice
3 decides to make a grant to a county under this ~~subsection~~ section, the ~~office~~
4 department of justice shall notify the county of its decision and the amount of the
5 grant no later than September 1 of the year preceding the year for which the grant
6 will be made.

7 (8) The ~~office~~ department of justice shall assist a county receiving a grant under
8 this ~~subsection~~ section in obtaining funding from other sources for its program.

9 (9) The ~~office~~ department of justice shall inform any county that is applying for
10 a grant under this ~~subsection~~ section whether the county meets the requirements
11 established under ~~par. (e) sub. (3)~~, regardless of whether the county receives a grant.

12 (10) The ~~office~~ department of justice shall enter into one or more contracts with
13 another person for the purpose of evaluating the grant program established under
14 this ~~subsection~~ section. The ~~office~~ department of justice shall fund such contracts
15 from moneys appropriated under s. 20.505 (6) (b) and ~~(ku)~~ 20.455 (2) (em) and (kx)
16 with 1 percent of the amount awarded as grants under ~~par. (b) sub. (2)~~.

17 (11) By December 31, 2011, the ~~office~~ department of justice, in collaboration
18 with the departments of corrections and health and family services, shall submit a
19 report to the chief clerk of each house of the legislature, for distribution to the
20 appropriate standing committees under s. 13.172 (3), regarding savings that have
21 been generated through the implementation of the grant program. The report shall
22 also include recommendations regarding how the grant program should be
23 structured in the future.”

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

1 **14.** Page 185, line 2: after that line insert:

2 “(d) Youth diversion GPR A 380,000 380,000”.

3 **15.** Page 185, line 12: after that line insert:

4 “(k) Youth diversion administration PR-S A 24,800 24,800”.

5 **16.** Page 185, line 14: after that line insert:

6 “(kj) Youth diversion program PR-S A 794,900 794,900”.

7 **17.** Page 220, line 8: increase the dollar amount for fiscal year 2007-08 by
8 \$220,900 and increase the dollar amount for fiscal year 2008-09 by \$220,900 for the
9 purpose of increasing the authorized FTE positions for the department of justice by
10 2.27 GPR positions and for transferring duties of the office of justice assistance to the
11 department of justice.

12 **18.** Page 220, line 14: after that line insert:

13 “(cr) Law enforcement officer supple-
14 ment grants GPR A 1,000,000 1,000,000”.

15 **19.** Page 220, line 18: after that line insert:

16 “(em) Alts. to pros. & incar. for pers.
17 who use alch. or oth. drugs. GPR A -0- -0-”.

18 **20.** Page 221, line 19: after that line insert:

19 “(kb) Grants for digital recording of
20 custodial interrogations PR-S A 750,000 750,000”.

21 **21.** Page 222, line 14: after that line insert:

1 provide a pre-sentencing assessment grant to the county that has the highest violent ✓
2 crime rate. ✓

3 **28.** Page 330, line 4: delete lines 4 to 7. ✓

4 **29.** Page 334, line 13: delete that line. ✓

5 **30.** Page 334, line 14: delete lines 14 to 19. ✓

6 **31.** Page 375, line 8: delete lines 8 to 10. ✓

7 **32.** Page 375, line 11: delete that line and substitute:

8 **"SECTION 448m.** 20.455 (2) (i) 13. of the statutes is amended to read:

9 20.455 (2) (i) 13. The amount transferred to s. ~~20.505 (6) (k)~~ par. (ky) shall be ✓
10 the amount in the schedule under s. ~~20.505 (6) (k)~~ par. (ky)." ✓

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326; 2005 a. 25 ss. 356c to 363r, 415m to 415v, 415w, 416g, 416h; 2005 a. 60, 254, 433; 2007 a. 1.

11 **33.** Page 375, line 12: delete that line and substitute: par.

12 **"SECTION 489d.** 20.455 (2) (i) 16. of the statutes is amended to read:

13 20.455 (2) (i) 16. The amount transferred to s. ~~20.505 (6) (ke)~~ par. (kb) shall be ✓
14 the amount in the schedule under s. ~~20.505 (6) (ke)~~ (kb)." ✓

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326; 2005 a. 25 ss. 356c to 363r, 415m to 415v, 415w, 416g, 416h; 2005 a. 60, 254, 433; 2007 a. 1.

15 **34.** Page 375, line 23: after that line insert:

16 **"SECTION 492r.** 20.455 (2) (m) of the statutes is amended to read:

17 20.455 (2) (m) *Federal aid, state operations.* All moneys received as federal aid,
18 as authorized by the governor under s. 16.54, for state operations and for state
19 agency operations for justice assistance." ✓

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326; 2005 a. 25 ss. 356c to 363r, 415m to 415v, 415w, 416g, 416h; 2005 a. 60, 254, 433; 2007 a. 1.

20 **35.** Page 375, line 24: after that line insert:

1 **"SECTION 493m.** 20.455 (2) (n) of the statutes is amended to read:
 2 20.455 (2) (n) *Federal aid, local assistance.* All moneys received as federal aid,
 3 as authorized by the governor under s. 16.54, for local assistance and for project
 4 grants to improve the administration of criminal justice."

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326; 2005 a. 25 ss. 356c to 363r, 415m to 415v, 415w, 416g, 416h; 2005 a. 60, 254, 433; 2007 a. 1.

5 **36.** Page 382, line 25: after that line insert: 517p

6 **"SECTION 516m.** 20.505 (1) (kp) of the statutes is amended to read:
 7 20.505 (1) (kp) *Interagency assistance; justice information systems.* The
 8 amounts in the schedule for the development and operation of automated justice
 9 information systems under s. 16.971 (9). All moneys transferred from the
 10 appropriation account under ~~sub. (6) (m)~~ ⁴⁵⁵ s. 20.505 (2) (m) shall be credited to this
 11 appropriation account."

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692, 9456 (3m); 1997 a. 237, 283; 1999 a. 5; 1999 a. 9 ss. 508 to 587d, 9401 (2zt), (2zu); 1999 a. 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104 ss. 21, 141; 2001 a. 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 ss. 10, 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 206 s. 23; 2003 a. 326; 2005 a. 25 ss. 389 to 429m, 2493, 2494, 2495, 9401, 9409; 2005 a. 60, 124, 141, 142, 253, 344, 414, 433.

12 **37.** Page 388, line 18: after that line insert:

13 **"SECTION 535r.** 20.505 (6) (a) of the statutes is repealed." ✓

14 **38.** Page 388, line 19: delete lines 19 to 24 and substitute: ✓

15 **"SECTION 536g.** 20.505 (6) (b) of the statutes is renumbered 20.455 (2) (em) and
 16 amended to read: ^

17 20.455 (2) (em) *Alternatives to prosecution and incarceration for persons who*
 18 *use alcohol or other drugs.* The amounts in the schedule for making grants to
 19 counties under s. ~~16.964 (12) (b)~~ [✓] 165.95 (2) and entering into contracts under s.
 20 ~~16.964 (12) (j)~~ [✓] 165.95 (10)."

1 **39.** Page 388, line 24: after that line insert:

2 **"SECTION 536i.** 20.505 (6) (c) of the statutes is renumbered 20.455 (2) (cr) and
3 amended to read:

4 20.455 (2) (cr) *Law enforcement officer supplement grants.* The amounts in the
5 schedule to provide grants for uniformed law enforcement officers under s. 16.964 (5)
6 165.986.

538m

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692, 9456 (3m); 1997 a. 237, 283; 1999 a. 5; 1999 a. 9 ss. 508 to 587d, 9401 (2zt), (2zu); 1999 a. 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104 ss. 21, 141; 2001 a. 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 ss. 10, 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 206 s. 23; 2003 a. 326; 2005 a. 25 ss. 389 to 429m, 2493, 2494, 2495, 9401, 9409; 2005 a. 60, 124, 141, 142, 253, 344, 414, 433.

7 **SECTION 536k.** 20.505 (6) (g) of the statutes is renumbered 20.455 (5) (gj) and
8 amended to read:

9 20.455 (5) (gj) *Grants for victims of sexual assault; child pornography*
10 *surchARGE.* All moneys received as part C of any child pornography surcharge
11 imposed under s. 973.042 for the grant program under s. 16.964 (11) 165.935.

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692, 9456 (3m); 1997 a. 237, 283; 1999 a. 5; 1999 a. 9 ss. 508 to 587d, 9401 (2zt), (2zu); 1999 a. 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104 ss. 21, 141; 2001 a. 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 ss. 10, 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 206 s. 23; 2003 a. 326; 2005 a. 25 ss. 389 to 429m, 2493, 2494, 2495, 9401, 9409; 2005 a. 60, 124, 141, 142, 253, 344, 414, 433.

12 **SECTION 536m.** 20.505 (6) (i) of the statutes is repealed.”

538+

13 **40.** Page 388, line 25: delete the material beginning with that line and ending
14 with page 389, line 5 and substitute:

material moved from next page

15 **41.** Page 389, line 6: delete that line and substitute:

16 **"SECTION 540b.** 20.505 (6) (kc) of the statutes is renumbered 20.455 (2) (kb) and
17 amended to read:

18 20.455 (2) (kb) *Grants for digital recording of custodial interrogations.* The
19 amounts in the schedule for grants to law enforcement agencies under s. 16.964 (10)

1 165.987 for equipment or training used to digitally record custodial interrogations.
 2 All moneys transferred from the appropriation account under s. 20.455 (2) (i) 16.
 3 shall be credited to this appropriation account.”

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History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692, 9456 (3m); 1997 a. 237, 283; 1999 a. 5; 1999 a. 9 ss. 508 to 587d, 9401 (2zt), (2zu); 1999 a. 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104 ss. 21, 141; 2001 a. 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 ss. 10, 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 206 s. 23; 2003 a. 326; 2005 a. 25 ss. 389 to 429m, 2493, 2494, 2495, 9401, 9409; 2005 a. 60, 124, 141, 142, 253, 344, 414, 433.

4 **42.** Page 389, line 6: after that line insert:

5 “SECTION ~~540d~~. 20.505 (6) (k) of the statutes is renumbered 20.455 (2) (ky).”

6 **SECTION 540e.** 20.505 (6) (km) of the statutes is repealed.

7 **SECTION 540g.** 20.505 (6) (ku) of the statutes is renumbered 20.455 (2) (kx) and
 8 amended to read:

9 20.455 (2) (kx) *Grants for substance abuse treatment programs for criminal*
 10 *offenders.* All moneys received under s. 961.41 (5) (c) 2. or 973.043 for the purpose
 11 of making grants to counties under s. ~~16.964 (12) (b)~~ 165.95 (2) and entering into
 12 contracts under s. ~~16.964 (12) (j)~~ 165.95 (10).

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692, 9456 (3m); 1997 a. 237, 283; 1999 a. 5; 1999 a. 9 ss. 508 to 587d, 9401 (2zt), (2zu); 1999 a. 24, 52, 105, 113, 148, 185; 2001 a. 16 ss. 684d, 685d, 800 to 905; 2001 a. 104 ss. 21, 141; 2001 a. 109; 2003 a. 33 ss. 364d, 365d, 369d, 370d, 374d, 376d, 378d, 380d to 384d, 567 to 615f, 639, 640, 642d to 644, 2811 to 2813; 2003 a. 48 ss. 10, 11; 2003 a. 84; 2003 a. 139 ss. 9 to 12; 2003 a. 206 s. 23; 2003 a. 326; 2005 a. 25 ss. 389 to 429m, 2493, 2494, 2495, 9401, 9409; 2005 a. 60, 124, 141, 142, 253, 344, 414, 433.

13 **SECTION 540i.** 20.505 (6) (m) of the statutes is repealed.

14 **SECTION 540k.** 20.505 (6) (mb) of the statutes is renumbered 20.465 (3) (mb).

15 **SECTION 540m.** 20.505 (6) (p) of the statutes is repealed.”

16 **43.** Page 1267, line 6: after that line insert:

17 “SECTION 2909n. 165.95 (title) of the statutes is created to read:

18 165.95(title) **Deferred prosecution and treatment for alcohol and drug**
 19 **offenders.**

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ⓐ #. Page 1264, line 4: after that line insert:
 ⓐ “Section 2904c. CR; 165.25 (12) (title)
 ⓐ 165.25 (12) (title) JUVENILE JUSTICE AND DELINQUENCY PREVENTION.”

→ SECTION 2909nm. 165.986 (title) of the statutes is created to read:

→ SECTION 165.986 (title) Law enforcement supplement grants.

1 SECTION 2909p. 165.987 (title) of the statutes is created to read:

2 165.987 (title) Grants for recording custodial interrogations.”

3 44. Page 1267, line 14: after that line insert:

4 “SECTION 2910g. 166.03 (2) (a) 8. of the statutes is created to read:

5 166.03 (2) (a) 8. Administer expenditure of federal homeland security funds.”

JWS 16-5

6 45. Page 1365, line 3: delete the material beginning with that line and ending

7 with page 1366, line 17.

JWS 16-7

8 46. Page 1563, line 16: substitute “20.505 (6) (ku) 20.455 (2) (kx)” for “20.505

9 (6) (ku)”.

JWS 16-9

10 47. Page 1568, line 11: after that line insert:

11 “SECTION 3879g. 973.042 (5) of the statutes is amended to read:

12 973.042 (5) The secretary of administration shall credit part A of the surcharge

13 to the appropriation account under s. 20.410 (1) (gj). The secretary of administration

14 shall credit part B of the surcharge to the appropriation account under s. 20.455 (2)

15 (gj). The secretary of administration shall credit part C of the surcharge to the

16 appropriation account under s. 20.505 (6) 20.455 (5) (gj).

17 History: 2005 a. 433. SECTION 3879m. 973.043 (3) of the statutes is amended to read:

18 973.043 (3) All moneys collected from drug offender diversion surcharges shall

19 be credited to the appropriation account under s. 20.505 (6) (ku) 20.455 (2) (kx) and

20 used for the purpose of making grants to counties under s. 16.964 (12) 165.95.”

JWS 16-20

21 History: 2005 a. 25. 48. Page 1581, line 1: delete the material beginning with that line and ending

22 with page 1582, line 10.

23 49. Page 1582, line 11: delete lines 11 to 25.

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50. Page 1583, line 1: delete lines 1 to 5.

51. Page 1584, line 4: after that line insert:

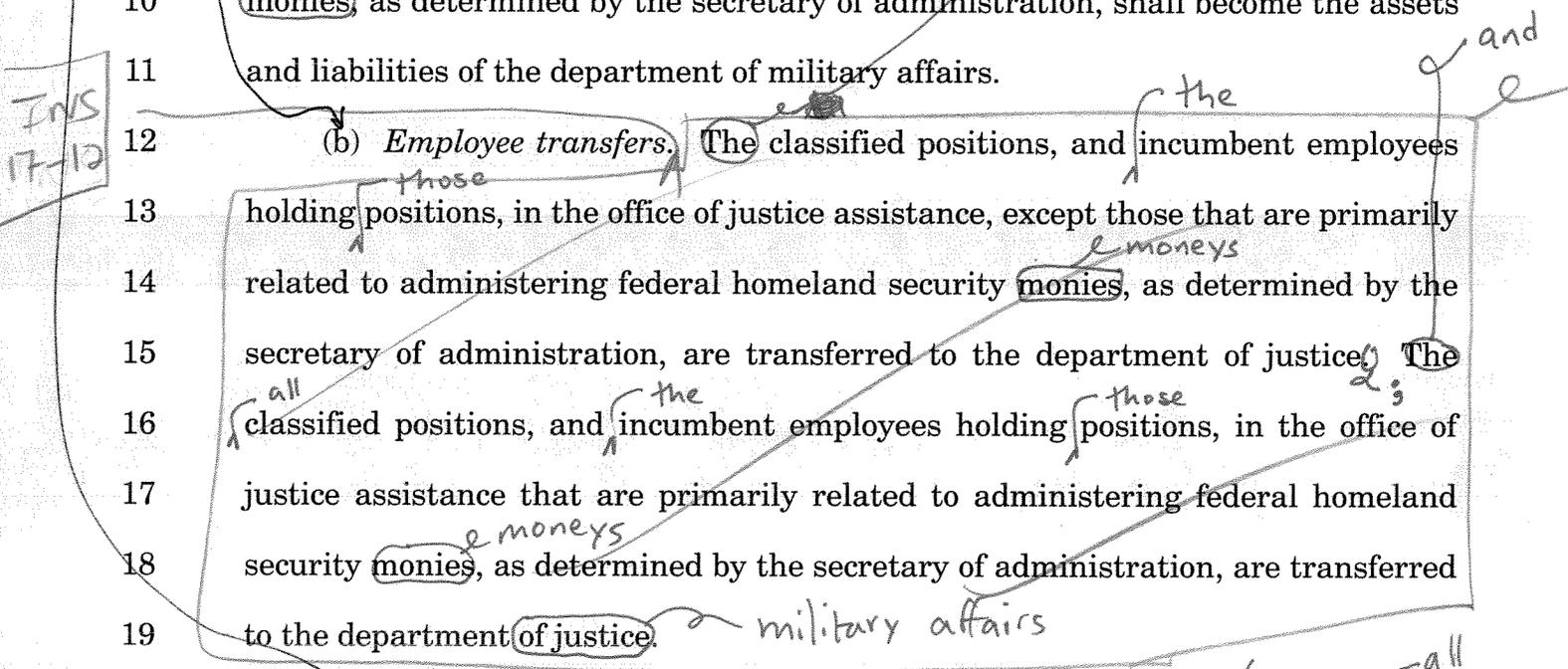
“(8) TRANSFER OF OFFICE OF JUSTICE ASSISTANCE.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the office of justice assistance, except those that are primarily related to administering federal homeland security monies, as determined by the secretary of administration, shall become the assets and liabilities of the department of justice. On the effective date of this paragraph, the assets and liabilities of the office of justice assistance that are primarily related to administering federal homeland security monies, as determined by the secretary of administration, shall become the assets and liabilities of the department of military affairs.

(b) *Employee transfers.* The classified positions, and incumbent employees holding those positions, in the office of justice assistance, except those that are primarily related to administering federal homeland security monies, as determined by the secretary of administration, are transferred to the department of justice. The classified positions, and incumbent employees holding those positions, in the office of justice assistance that are primarily related to administering federal homeland security monies, as determined by the secretary of administration, are transferred to the department of military affairs.

(a) *Employee status.* Employees transferred under paragraph (b) shall have the same rights and status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of justice or the department of military affairs, whichever is applicable, that they enjoyed in the department of administration immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee

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1 so transferred who has attained permanent status in class is required to serve a
2 probationary period.

3 d. (b) *Tangible personal property.* On the effective date of this paragraph, all
4 tangible personal property, including records, of the office of justice assistance,
5 except property that is primarily related to administering federal homeland security
6 monies, as determined by the secretary of administration, shall be transferred to the
7 department of justice. On the effective date of this paragraph, all tangible personal
8 property, including records, of the office of justice assistance that is primarily related
9 to administering federal homeland security monies, as determined by the secretary
10 of administration, shall be transferred to the department of military affairs.

11 e. (c) *Contracts.* 1. All contracts entered into by the office of justice assistance
12 in effect on the effective date of this paragraph, except contracts that are primarily
13 related to administering federal homeland security monies, as determined by the
14 secretary of administration, remain in effect and are transferred to the department
15 of justice. The department of justice shall carry out any such contractual obligations
16 unless modified or rescinded by the department of justice to the extent allowed under
17 the contract.

18 2. All contracts entered into by the office of justice assistance in effect on the
19 effective date of this paragraph that are primarily related to administering federal
20 homeland security monies, as determined by the secretary of administration, remain
21 in effect and are transferred to the department of military affairs. The department
22 of military affairs shall carry out any such contractual obligations unless modified
23 or rescinded by the department of military affairs to the extent allowed under the
24 contract.

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(I)

1 (f) Pending matters. Any matter pending with the office of justice assistance
 2 on the effective date of this paragraph, except matters that are primarily related to
 3 administering federal homeland security monies, as determined by the secretary of
 4 administration, is transferred to the department of justice, and all materials
 5 submitted to or actions taken by the office of justice assistance with respect to the
 6 pending matter are considered as having been submitted to or taken by the
 7 department of justice. Any matter pending with the office of justice assistance on the
 8 effective date of this paragraph that is primarily related to administering federal
 9 homeland security monies, as determined by the secretary of administration, is
 10 transferred to the department of military affairs, and all materials submitted to or
 11 actions taken by the office of justice assistance with respect to the pending matter
 12 are considered as having been submitted to or taken by the department of military
 13 affairs.

(II)

14 (g) Rules and orders. 1. All rules promulgated by the department of
 15 administration for the office of justice assistance, except rules that are primarily
 16 related to administering federal homeland security monies, as determined by the
 17 secretary of administration, and that are in effect on the effective date of this
 18 paragraph remain in effect until their specified expiration dates or until amended
 19 or repealed by the department of justice. All orders issued by the office of justice
 20 assistance, except orders that are primarily related to administration of federal
 21 homeland security monies, as determined by the secretary of administration, and
 22 that are in effect on the effective date of this paragraph remain in effect until their
 23 specified expiration dates or until modified or rescinded by the department of justice. ✓

24 2. All rules promulgated by the department of administration for the office of
 25 justice assistance that are primarily related to administering federal homeland

1 security ^{e moneys} monies, as determined by the secretary of administration, and that are in
 2 effect on the effective date of this paragraph remain in effect until their specified
 3 expiration dates or until amended or repealed by the department of military affairs.
 4 All orders issued by the office of justice assistance that are primarily related to
 5 administration of federal homeland security ^{e moneys} monies, as determined by the secretary
 6 of administration, and that are in effect on the effective date of this paragraph
 7 remain in effect until their specified expiration dates or until modified or rescinded
 8 by the department of military affairs.”

9 **52.** Page 1604, line 25: delete the material beginning with that line and
 10 ending with page 1606, line 19.

11 **53.** Page 1607, line 17: after that line insert:

12 “(j) YOUTH DIVERSION GRANT REDUCTIONS.

13 a (d) Notwithstanding the ^{dollar} amount specified under section 301.265 (1) of the
 14 statutes, the department of corrections shall reduce the amount of money allocated
 15 under section 301.265 (1) of the statutes by \$6,000 in fiscal year 2007-08.

16 b (e) Notwithstanding the ^{dollar} amounts specified under section 301.265 (3) of the
 17 statutes, the department of corrections shall reduce the amount of money allocated
 18 for each of the 4 contracts that are funded with moneys from the appropriation
 19 accounts under section 20.410 (3) (d) of the statutes by \$7,500 in fiscal year 2007-08
 20 and shall reduce the amount of money allocated for the contract that is funded only
 21 with moneys from the appropriation account under section 20.410 (3) (kj) of the
 22 statutes by \$5,000 in fiscal year 2007-08.”

23 **54.** Page 1607, line 8: delete “s. 16.964 (12) of the statutes on” and substitute
 24 “section 165.95 of the statutes, as ~~created~~ affected by this act, in”.

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(3 p)

1 **55.** Page 1607, line 21: delete lines 21 ^{e and} to 22 and substitute

2 "accounts under section 20.455 (2) (kp) and (n) of" ^{no ff}

3 **56.** Page 1607, line 23: after "statutes," insert "as affected by this act,".

4 **57.** Page 1608, line 5: delete lines 5 ^{e and} to 6 and substitute

5 "accounts under section 20.455 (2) (kp) and (n) of" ^{no ff}

6 **58.** Page 1608, line 7: after "statutes," insert "as affected by this act,".

7 **59.** Page 1623, line 13: after that line insert:

8 **(?)** FEDERAL BYRNE JUSTICE ASSISTANCE GRANT FUNDING FOR MULTIJURISDICTIONAL
9 ENFORCEMENT GROUPS. For the 2007-08 and 2008-09 fiscal years, the department of
10 justice shall allocate to multijurisdictional enforcement groups 44 percent of the
11 federal Byrne Justice Assistance Grant awards appropriated under section 20.455
12 (2) (p) of the statutes. ⁽ⁿ⁾

13 **(?)** OFFICE OF JUSTICE ASSISTANCE TRANSFER. The authorized FTE positions for the
14 department of justice funded from the appropriation under section 20.455 (2) (ky),
15 as created by this act, are increased by 1.40 ^{to be} positions for the purpose of transferring
16 duties of the office of justice assistance to the department of justice." ^{PR} ^(a)

17 (END)

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21-16

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2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

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RLR:.....

1 **Ins 5-8:**

2 (2) A city applying to the ~~office~~ ^{department} for a grant under this ~~subsection~~ section shall
3 include a proposed plan of expenditure of the grant moneys. The grant moneys that
4 a city receives under this ~~subsection~~ section may be used for salary and fringe
5 benefits only. Except as provided in ~~par. (e)~~ sub. (3), the positions for which funding
6 is sought must be created on or after April 21, 1994, and result in a net increase in
7 the number of uniformed law enforcement officers assigned to beat patrol duties.

8 History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

9
10 **Ins 5-22:**

11 (6) The ~~office~~ department may make grants to additional cities with a
12 population of 25,000 or more after fiscal year 1994-95. Eligibility for grants under
13 this ~~paragraph~~ subsection shall be determined and allocations made as provided in
14 this ~~subsection~~ section.”

15 History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

16
17 **Ins 6-14:**

18 165.987 (1) (intro.) In this ~~subsection~~ section:

19 History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

20
21 **Ins 8-4:**

1 (4) In implementing a program that meets the requirements of ~~par. (e)~~ sub. (3),
 2 a county department may contract with or award grants to a religious organization
 3 under s. 59.54 (27).

History: 1987 a. 27; 1989 a. 31, 122; 1991 a. 39; 1993 a. 193; 1997 a. 252; 1999 a. 9 ss. 110, 110j, 2294m; 2001 a. 16 ss. 3349d, 3350, 3351d; 2003 a. 33 ss. 230, 1159, 1161, 1163, 1165; 2005 a. 25, 60, 433.

4

5

6 **Ins 11-20:**

7 **1.** Page 239, line 1: decrease the dollar amount for fiscal year 2007-08 by
 8 \$120,000 and decrease the dollar amount for fiscal year 2008-09 by \$120,000 for the
 9 purpose of decreasing the authorized FTE positions for the department of
 10 administration by 1.0 PR position related to duties of the office of justice assistance. ✓

11

12

13 **Ins 15-15:**

14 **2.** Page 464, line 18: after that line insert:
 15 “**SECTION 731g.** 36.11 (22) (d) of the statutes is amended to read:
 16 36.11 (22) (d) Annually, each institution shall report to the office of justice
 17 ~~assistance in the department of administration~~ justice statistics on sexual assaults
 18 and on sexual assaults by acquaintances of the victims that occurred on each campus
 19 of the institution in the previous year. The office department of justice assistance
 20 shall include the statistics in appropriate crime reports published by the office
 21 department.” ✓

History: 1973 c. 335; 1975 c. 39, 41, 224, 400; 1977 c. 29, 418; 1979 c. 32 s. 92 (8); 1979 c. 221; 1981 c. 20; 1983 a. 27, 366; 1983 a. 435 s. 7; 1983 a. 484; 1985 a. 62, 120; 1985 a. 332 ss. 47, 49, 50; 1985 a. 332 s. 251 (1); 1987 a. 27, 287; 1989 a. 31, 56, 121, 177, 359; 1991 a. 39, 203, 250, 269, 285, 315; 1993 a. 16, 213, 227, 399; 1995 a. 27 ss. 1757 to 1762y, 9130 (4); 1995 a. 201, 404, 448; 1997 a. 3, 27, 128, 237; 1999 a. 9, 29; 1999 a. 150 ss. 7, 351; 2001 a. 16, 22; 2003 a. 33, 69, 149, 282; 2005 a. 25, 253, 324, 470.

22 **3.** Page 475, line 25: after that line insert:

1 "SECTION 737m. 38.14 (4) of the statutes is repealed." ✓ ✕

2

3 **Ins 16-5:**

4 **4.** Page 1363, line 9: after that line insert:

5 "SECTION 3118m. 301.26 (7) (b) 2. of the statutes is amended to read:

6 301.26 (7) (b) 2. Each county's proportion of the total Part I juvenile arrests
7 reported statewide under the uniform crime reporting system of the office
8 department of justice assistance during the most recent 3-year period for which that
9 information is available." ✓

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, 344; 13.93 (2) (c).

10 **5.** Page 1365, line 2: after that line insert:

11 "SECTION 3124m. 301.263 (3) of the statutes is amended to read:

12 301.263 (3) The department shall distribute 33% of the amounts distributed
13 under sub. (1) based on each county's proportion of the violent Part I juvenile arrests
14 reported statewide under the uniform crime reporting system of the office
15 department of justice assistance ~~in the department of administration~~, during the
16 most recent 2-year period for which that information is available. The department
17 shall distribute 33% of the amounts distributed under sub. (1) based on each county's
18 proportion of the number of juveniles statewide who are placed in a juvenile
19 correctional facility or a secured residential care center for children and youth during
20 the most recent 2-year period for which that information is available. The
21 department shall distribute 34% of the amounts distributed under sub. (1) based on
22 each county's proportion of the total Part I juvenile arrests reported statewide under

1 the uniform crime reporting system of the office department of justice assistance,
2 during the most recent 2-year period for which that information is available.” ✓

3 History: 1995 a. 27, 77; 1997 a. 35; 1999 a. 9; 2005 a. 344.

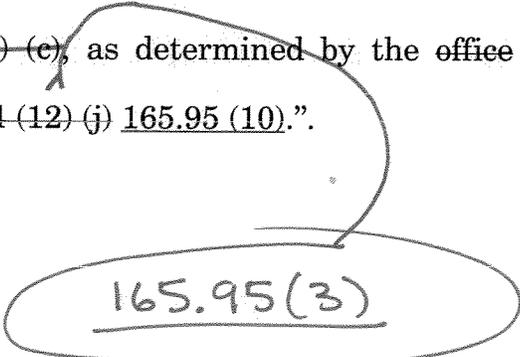
4
5 **Ins 16-7:**

6 **6.** Page 1376, line 15: after that line insert:

7 “SECTION 3180m. 302.43 of the statutes is amended to read:

8 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time
9 in the amount of one-fourth of his or her term for good behavior if sentenced to at
10 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit
11 for time served prior to sentencing under s. 973.155, including good time under s.
12 973.155 (4). An inmate who violates any law or any regulation of the jail, or neglects
13 or refuses to perform any duty lawfully required of him or her, may be deprived by
14 the sheriff of good time under this section, except that the sheriff shall not deprive
15 the inmate of more than 2 days good time for any one offense without the approval
16 of the court. An inmate who files an action or special proceeding, including a petition
17 for a common law writ of certiorari, to which s. 807.15 applies shall be deprived of
18 the number of days of good time specified in the court order prepared under s. 807.15
19 (3). This section does not apply to a person who is confined in the county jail in
20 connection with his or her participation in a substance abuse treatment program
21 that meets the requirements of s. ~~16.964 (12) (c)~~, as determined by the office
22 department of justice assistance under s. ~~16.964 (12) (j)~~ 165.95 (10).”

23 History: 1977 c. 353; 1989 a. 31 s. 1667; Stats. 1989 s. 302.43; 1997 a. 133; 2005 a. 25.

24

165.95(3)

1 **Ins 16-9:**

2 **7.** Page 1563, line 16: after that line insert:

3 “**SECTION 3866^m**. 961.472 (5) (b) of the statutes is amended to read:

4 961.472 (5) (b) The person is participating in a substance abuse treatment
5 program that meets the requirements of s. ~~16.964 (12) (e)~~ 165.95 (3), as determined
6 by the office department of justice assistance under s. ~~16.964 (12) (i)~~ 165.95 (9).” ✓

History: 1985 a. 328; 1987 a. 339; 1989 a. 121; 1993 a. 118; 1995 a. 27 s. 9126 (19); 1995 a. 448 s. 286; Stats. 1995 s. 961.472; 1999 a. 48; 2001 a. 109; 2003 a. 49; 2005 a. 25.

7 **8.** Page 1564, line 19: after that line insert:

8 “**SECTION 3870^e**. 967.11 (1) of the statutes is amended to read:

9 967.11 (1) In this section, “approved substance abuse treatment program”
10 means a substance abuse treatment program that meets the requirements of s.
11 ~~16.964 (12) (e)~~ 165.95 (3), as determined by the office department of justice assistance
12 under s. ~~16.964 (12) (i)~~ 165.95 (9).” ✓

History: 2005 a. 25.

13

14

15 **Ins 16-20:**

16 **9.** Page 1570, line 12: after that line insert:

17 “**SECTION 3887m.** 973.155 (1m) of the statutes is amended to read:

18 973.155 (1m) A convicted offender shall be given credit toward the service of
19 his or her sentence for all days spent in custody as part of a substance abuse
20 treatment program that meets the requirements of s. ~~16.964 (12) (e)~~ 165.95 (3), as
21 determined by the office department of justice assistance under s. ~~16.964 (12) (i)~~

1 165.95 (9) for any offense arising out of the course of conduct that led to the person's
2 placement in that program."

3 History: 1977 c. 353; 1979 c. 154; 1983 a. 377, 528; 1987 a. 403 s. 256; 1989 a. 31, 107; 1997 a. 283; 2001 a. 109; 2005 a. 25.

5 **Ins 17-1:**

6 ✓ **10.** Page 1583, line 15: delete lines 15 to 19.

9 **Ins 17-12:**

10 (9) 1. The incumbents holding the 1.40 FTE PR positions that were funded from
11 section 20.505 (6) (k) of the 2005 statutes and whose duties are transferred to the
12 department of justice by this act, as determined by the secretary of administration,
13 are transferred into the 1.40 PR positions authorized for the department of justice
14 under section of this act. 9129 (1g) (a)

15 2. The incumbents holding the 2.27 FTE GPR positions that were funded from
16 section 20.505 (6) (a) of the 2005 statutes and whose duties are transferred to the
17 department of justice by this act, as determined by the secretary of administration,
18 are transferred into the 2.27 GPR positions authorized for the department of justice
19 under section of this act. 9129 (1g) (b)

20 3. The incumbents holding the 13.58 FED positions that were funded from
21 section 20.505 (6) (m) of the 2005 statutes and whose duties are transferred to the
22 department of justice by this act, as determined by the secretary of administration,
23 are transferred to the 13.58 FED positions authorized for the department of justice
24 under section of this act. 9129 (1g) (c)

in the office of justice assistance

employees

stats. ↑

9129 (1g) (a)

employees

stats. ↑

9129 (1g) (b)

employees

stats. ↑

9129 (1g) (c)

1

2

3

Ins 21-16:

4

^b (7) The authorized FTE positions for the department of justice funded from the

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appropriation under section 20.455 (2) (a) of the statutes are increased by 2.27 GPR

6

^{to be} positions for the purpose of transferring duties of the office of justice assistance to

7

the department of justice.

8

^c (8) The authorized FTE positions for the department of justice funded from the

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appropriation under section 20.455 (2) (m) of the statutes, as affected by this act, are

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increased by 13.58 FED positions for fiscal year 2007-08 and 11.58 FED positions

11

^{for} fiscal year 2008-09 for the purpose of transferring duties of the office of justice

12

assistance to the department of justice.

13

^{1r} (9) YOUTH COURT COORDINATOR. From the appropriation account under section

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20.455 (2) (n) of the statutes, the department of justice shall distribute \$58,000 in

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each of fiscal years 2007-08 and 2008-09 to an entity in Dane County for the

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employment of a full-time youth court coordinator to expand the number of youth

17

courts in that county.”.

INS Z

- ④ SECTION 2904 cm. CR; 165.25 (14) (title)
- ④ 165.25 (14) (title) RECOMMEND LEGISLATION. (CS)
- ④ SECTION 2904d. CR; 165.25 (15) (title)
- 165.25 (15) (title) COOPERATION AND ASSISTANCE. (CS) ↗

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

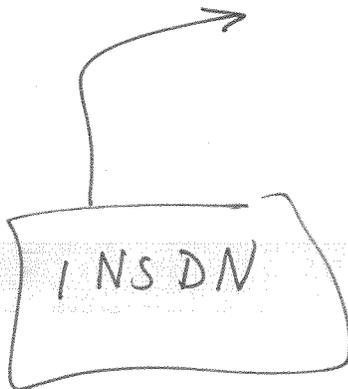
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RLR:./:....

gs

This amendment includes the following: the transfer of the Office of Justice Assistance to the Departments of Justice and Military Affairs; deletion of the youth diversion transfer; deletion of the pre-sentencing assessment grant for Milwaukee County; and deletion of Milwaukee TAD funding.

INS DN



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Legislative Attorney
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0581/1dn
RLR:cjs:jf

July 3, 2007

This amendment includes the following: the transfer of the Office of Justice Assistance to the Departments of Justice and Military Affairs; deletion of the youth diversion transfer; deletion of the pre-sentencing assessment grant for Milwaukee County; and deletion of Milwaukee TAD funding.

If the draft that restores the sentencing commission (b0814) is not included in the compile, I need to redraft this amendment to treat the creation of s. 16.964 (13) and the renumbering of paragraphs under s. 973.30 (1).

If the draft that yanks the creation of the Department of Children and Families is not included in the compile, I need to redraft this amendment to treat references to s. 16.964 in the effective date provisions for the new department.

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.wisconsin.gov

7/3/07

Paul 60581/1 changes

New: eliminate exemption from
competitive bid requirement
for DOC Youth Diversion
contract to org. in ~~ward~~
→ in Racine (no specification
of ward)

Yank LRB 60233/2 - grant for youth
court in Dane Cty.
(⇒ p. 24 of amend., delete lines 10-14)

Changes from Paul 7/5 60857/1

- (1) Retain 16.964 (1)(e) → DOJ
- (2) make 16.964 (1)(f) a stand alone duty - don't integrate into 165.83
- (3) Sub 964 (1)(g) & (h) & (2) - don't integrate into 165.83 / 165.84
- (4) wants \$ in sched p. 10, line 15 (755,000/yr)
- (5) p. 10, line 7 & 10 - title
- (6) p. 10, line 16 program is plural
- (7) wants \$ increases for

20.455 (2)(m)	\$ 2,846,300	2,428,300
(n)	\$ 18,904,900	18,904,900
- (8) p. 11 \$ 120,100 (line 4 2x)
- (9) p. 11, line 6 - add description of position
- (10) 38.14(4) Keep - reference current law OSA duties
- (11) p. 15, line 3 165.986 - add "officer"
- (12) p. 17, line 10 - current law x-ref wrong
- (13) Strike "as determined by sec admin" in non-stats.

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341) · Library (608-266-7040) Legal (608-266-3561)

LRB

(14) related to administering federal homeland ~~security~~ (not "administration of")

(15) yes, unencumbered balances of approps. should transfer, if applicable.

(16)	p. 22, line 23	\$ 10,000	annually
	p. 23, line 4	\$ 3,000	"
	p. 23, line 7	\$ 31,000	"

20