

2009 DRAFTING REQUEST

Bill

Received: **09/22/2008**

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-2213**

By/Representing: **Silver**

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

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Children - juvenile justice**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Silver, BB0045 -

Topic:

Youth aids 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>
/?	gmalaise 09/22/2008	jdyer 09/23/2008		_____			S&L
/1			rschluet 09/23/2008	_____	lparisi 09/23/2008		S&L
/2	gmalaise 01/28/2009	wjackson 01/28/2009	chanaman 01/28/2009	_____	sbasford 01/29/2009		S&L
/3	gmalaise 01/29/2009	jdyer 01/29/2009	mduchek 01/29/2009	_____	sbasford 01/29/2009		

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/?	gmalaise 09/22/2008	jdyer 09/23/2008		_____			S&L
/1		13 1/28 jld	rschlue 09/23/2008	_____	lparisi 09/23/2008		S&L
/2	gmalaise 01/28/2009	wjackson 01/28/2009	chanaman 01/28/2009	_____	sbasford 01/29/2009		

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/?	gmalaise	1/9 Bjd					

FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Youth Aids Funding
- Tracking Code: BB0045
- SBO team: Agriculture, Environment and Justice
- SBO analyst: Karina Silver
 - Phone: 266-2213
 - Email: Karina.Silver@wi.gov
- Agency acronym: DOC
- Agency number: 410
- Priority (Low, Medium, High): High

Gmm

Intent: Update the statutes for youth aids to reflect the funding level and dates of the 2009-11 biennial budget.

Current Language

Current language at s. 301.26(7) and s. 301.26(8) specify the amount of youth aids funding the Department of Corrections shall allocate to counties for the biennium, within the limits of availability of federal funds and of the community and family aids appropriation under 3. 20.410(3)(cd) and (ko).

Proposed Change

Update the statutes for youth aids to reflect the dates of the 2009-11 biennial budget.

This change is necessary to accurately reflect the amount of youth aids funding that will be provided to counties during the 2009-11 biennium.

Desired effective date: Upon passage of the bill

DEPARTMENT OF CORRECTIONS
2009-2011 Biennial Budget
Statutory Language Request

Topic: Youth Aids Funding

Current Language

Current language at §301.26(7) and §301.26(8) specifies the amount of youth aids funding the Department shall allocate to counties for the biennial period, within the limits of the availability of federal funds and of the community youth and family aids appropriations under §20.410(3)(cd) and (ko).

Proposed Change

Update the statutes for youth aids to reflect the funding level and dates of the 2009-11 biennial budget.

§301.26(7) Allocations of funds. Within the limits of the availability of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the department shall allocate funds for community youth and family aids for the period beginning on July 1, ~~2007~~ 2009, and ending on June 30, ~~2009~~ 2011, as provided in this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

§301.26(7)(a) For community youth and family aids under this section, amounts not to exceed ~~\$49,395,100~~ \$50,395,100 for the last 6 months of ~~2007~~ 2009, ~~\$99,790,200~~ \$100,790,200 for ~~2008~~ 2010, and ~~\$50,395,100~~ for the first 6 months of ~~2009~~ 2011.

§301.26(7)(b) Of the amounts specified in par. (a), the department shall allocate \$2,000,000 for the last 6 months of ~~2007~~ 2009, \$4,000,000 for ~~2008~~ 2010, and \$2,000,000 for the first 6 months of ~~2009~~ 2011 to counties based on each of the following factors weighted equally:

§301.26(7)(bm) Of the amounts specified in par. (a), the department shall allocate ~~\$5,250,000~~ \$6,250,000 for the last 6 months of ~~2007~~ 2009, ~~\$11,500,000~~ \$12,500,000 for ~~2008~~ 2010, and \$6,250,000 for the first 6 months of ~~2009~~ 2011 to counties based on each county's proportion of the number of juveniles statewide who are placed in a juvenile correctional facility during the most recent 3-year period for which that information is available.

§301.26(7)(c) Of the amounts specified in par. (a), the department shall allocate \$1,053,200 for the last 6 months of ~~2007~~ 2009, \$2,106,500 for ~~2008~~ 2010, and \$1,053,300 for the first 6 months of ~~2009~~ 2011 to counties based on each of the factors specified in par. (b) 1. to 3.

301.26(7)(e) For emergencies related to community youth and family aids under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2007~~ 2009, \$250,000 for ~~2008~~ 2010 and \$125,000 for the first 6 months of ~~2009~~ 2011.

301.26(7)(h) For counties that are participating in the corrective sanctions program under s.938.533 (2), \$1,062,400 in the last 6 months of ~~2007~~ 2009, \$2,124,800 in ~~2008~~ 2010, and \$1,062,400 in the first 6 months of ~~2009~~ 2011 for the provision of corrective sanctions services for juveniles from that county.

301.26(8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the allocations specified in sub. (7)(a) the department shall allocate \$666,700 in the last 6 months of ~~2007~~ 2009, \$1,333,400 in ~~2008~~ 2010 and \$666,700 in the first 6 months of ~~2009~~ 2011 for alcohol and other drug abuse treatment programs.

Effect of the Change

This change will update statutes to reflect the funding level and dates of the 2009-11 biennium.

Rationale for the Change

This change is necessary to accurately reflect the amount of youth aids funding that will be provided to counties during the 2009-11 biennium.

Desired Effective Date:	Upon Passage of Bill
Agency:	DOC
Agency Contact:	Dawn Woeshnick
Phone:	240-5417



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0358/7

GMM:m:...

1
jld

DOA:.....Silver, BB0045 - Youth aids funding ✓

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

In 9/22

4

don't Gen

1 AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM ✓

JUVENILE CORRECTIONAL SYSTEM ✓

Under current law relating to community youth and family aids (generally referred to as "youth aids"), DOC is required to allocate to counties various state and federal moneys to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. This bill requires DOC to allocate an additional \$2,000,000 in the 2009-11 state fiscal biennium to counties based on each county's proportion of the number of juveniles statewide who are placed in a juvenile correctional facility during the most recent three-year period for which that information is available.

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:

2 SECTION 1. 301.26 (7) (intro.) ✓ of the statutes is amended to read:

3 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability

4 of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the

1 department shall allocate funds for community youth and family aids for the period
2 beginning on July 1, 2007 2009✓, and ending on June 30, 2009 2011✓, as provided in
3 this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

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; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97.

4 **SECTION 2.** 301.26 (7) (a) (intro.) of the statutes is amended to read:

5 301.26 (7) (a) (intro.) For community youth and family aids under this section,
6 amounts not to exceed ~~\$49,395,100~~ \$50,395,100✓ for the last 6 months of 2007,
7 ~~\$99,790,200 for 2008~~ 2009✓, \$100,790,200✓ for 2010,✓ and \$50,395,100 for the first 6
8 months of ~~2009~~ 2009 2011✓.

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; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97.

9 **SECTION 3.** 301.26 (7) (b) (intro.) of the statutes is amended to read:

10 301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
11 allocate \$2,000,000 for the last 6 months of 2007 2009✓, \$4,000,000 for 2008 2010✓, and
12 \$2,000,000 for the first 6 months of ~~2009~~ 2011✓ to counties based on each of the
13 following factors weighted equally:

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; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97.

14 **SECTION 4.** 301.26 (7) (bm) of the statutes is amended to read:

15 301.26 (7) (bm) Of the amounts specified in par. (a), the department shall
16 allocate ~~\$5,250,000~~ \$6,250,000✓ for the last 6 months of 2007, ~~\$11,500,000 for 2008~~
17 2009✓, \$12,500,000 for 2010,✓ and \$6,250,000 for the first 6 months of ~~2009~~ 2011✓ to
18 counties based on each county's proportion of the number of juveniles statewide who
19 are placed in a juvenile correctional facility during the most recent 3-year period for
20 which that 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; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97.

21 **SECTION 5.** 301.26 (7) (c) of the statutes is amended to read:

1 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate
2 \$1,053,200 for the last 6 months of ~~2007~~ 2009[✓], \$2,106,500 for ~~2008~~ 2010[✓], and
3 \$1,053,300 for the first 6 months of ~~2009~~ 2011[✓] to counties based on each of the factors
4 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
5 allocation under this paragraph that is less than 93% nor more than 115% of the
6 amount that the county would have received under this paragraph if the allocation
7 had been distributed only on the basis of the factor specified in par. (b) 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; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97.

8 **SECTION 6.** 301.26 (7) (e)[✓] of the statutes is amended to read:

9 301.26 (7) (e) For emergencies related to community youth and family aids
10 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2007~~
11 2009[✓], \$250,000 for ~~2008~~ 2010[✓], and \$125,000 for the first 6 months of ~~2009~~ 2011[✓]. A
12 county is eligible for payments under this paragraph only if it has a population of not
13 more than 45,000.

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; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97.

14 **SECTION 7.** 301.26 (7) (h) of the statutes is amended to read:

15 301.26 (7) (h) For counties that are participating in the corrective sanctions
16 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2007~~ 2009[✓],
17 \$1,124,800 in ~~2008~~ 2010[✓], and \$1,062,400[✓] in the first 6 months of ~~2009~~ 2011[✓] for the
18 provision of corrective sanctions services for juveniles from that county. In
19 distributing funds to counties under this paragraph, the department shall determine
20 a county's distribution by dividing the amount allocated under this paragraph by the
21 number of slots authorized for the program under s. 938.533 (2) and multiplying the
22 quotient by the number of slots allocated to that county by agreement between the

1 department and the county. The department may transfer funds among counties as
 2 necessary to distribute funds based on the number of slots allocated to each county.

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; 2007 a. 20
 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97.

3 **SECTION 8.** 301.26 (8) of the statutes is amended to read:

4 **301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT.** From the amount of the
 5 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last
 6 6 months of ~~2007~~ 2009, \$1,333,400 in ~~2008~~ 2010, and \$666,700 in the first 6 months
 7 of ~~2009~~ 2011 for alcohol and other drug abuse treatment programs.

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; 2007 a. 20
 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97.

8 **(END)**

Malaise, Gordon

From: Silver, Karina B - DOA [karina.silver@wisconsin.gov]
Sent: Wednesday, January 28, 2009 1:28 PM
To: Malaise, Gordon
Subject: 0357 and 0358 changes

Hi Gordon,

We have a few changes that need to be made to the Youth Aids draft and the Daily Rates draft.

LRB-0357

Please change the rates for Type 1 juvenile correctional facility to \$270 in FY10 and \$275 in FY11.
Change the rates for corrective sanctions services to \$101 in FY10 and \$103 in FY11.

LRB-0358

Section 2. The amounts need to be changed as follows: \$47,432,600 for the last 6 months of 2009, \$94,865,200 for 2010, and \$47,432,600 for the first 6 months of 2011.

There is a slight chance that the numbers may change a bit but hopefully not (otherwise there just might be a mutiny over here, as well as at your office, I bet! ☺).

Karina B. Silver
Executive Policy and Budget Analyst
State Budget Office
(608) 266-2213



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0358/1

GMM:jld:rs

FN 1/28

WLY
RMR

DOA:.....Silver, BB0045 - Youth aids funding

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

of youth aids
Sets the amounts that DOC ^{must} ~~is required to~~ allocate to counties in the 2009-11 state fiscal biennium and

Do Not Gen

1 AN ACT ^{that} relating to: the budget.

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

^{must} **JUVENILE CORRECTIONAL SYSTEM**

Under current law relating to community youth and family aids (generally referred to as "youth aids"), DOC ~~is required to~~ ^{must} allocate to counties various state and federal moneys to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. This bill requires DOC to allocate an additional \$2,000,000 in ~~the 2009-11 state fiscal~~ biennium to counties based on each county's proportion of the number of juveniles statewide who are placed in a juvenile correctional facility during the most recent three-year period for which that information is available.

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:

- 2 SECTION 1. 301.26 (7) (intro.) of the statutes is amended to read:
- 3 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
- 4 of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the

(handwritten)
\$47,432,600

1 department shall allocate funds for community youth and family aids for the period
2 beginning on July 1, ~~2007~~ 2009, and ending on June 30, ~~2009~~ 2011, as provided in
3 this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

4 **SECTION 2.** 301.26 (7) (a) (intro.) of the statutes is amended to read:

5 301.26 (7) (a) (intro.) For community youth and family aids under this section,
6 amounts not to exceed \$49,395,100 ~~\$50,395,100~~ for the last 6 months of 2007,
7 \$99,790,200 for 2008 2009, ~~\$100,790,200~~ for 2010, and \$50,395,100 for the first 6
8 months of 2009 2011.

\$94,865,200

9 **SECTION 3.** 301.26 (7) (b) (intro.) of the statutes is amended to read:

10 301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
11 allocate \$2,000,000 for the last 6 months of ~~2007~~ 2009, \$4,000,000 for ~~2008~~ 2010, and
12 \$2,000,000 for the first 6 months of ~~2009~~ 2011 to counties based on each of the
13 following factors weighted equally:

14 **SECTION 4.** 301.26 (7) (bm) of the statutes is amended to read:

15 301.26 (7) (bm) Of the amounts specified in par. (a), the department shall
16 allocate ~~\$5,250,000~~ \$6,250,000 for the last 6 months of 2007, ~~\$11,500,000~~ for 2008
17 2009, \$12,500,000 for 2010, and \$6,250,000 for the first 6 months of ~~2009~~ 2011 to
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19 are placed in a juvenile correctional facility during the most recent 3-year period for
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22 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate
23 \$1,053,200 for the last 6 months of ~~2007~~ 2009, \$2,106,500 for ~~2008~~ 2010, and
24 \$1,053,300 for the first 6 months of ~~2009~~ 2011 to counties based on each of the factors
25 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an

1 allocation under this paragraph that is less than 93% nor more than 115% of the
2 amount that the county would have received under this paragraph if the allocation
3 had been distributed only on the basis of the factor specified in par. (b) 3.

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5 301.26 (7) (e) For emergencies related to community youth and family aids
6 under this section, amounts not to exceed \$125,000 for the last 6 months of 2007
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9 more than 45,000.

10 **SECTION 7.** 301.26 (7) (h) of the statutes is amended to read:

11 301.26 (7) (h) For counties that are participating in the corrective sanctions
12 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2007~~ 2009,
13 \$2,124,800 in ~~2008~~ 2010, and \$1,062,400 in the first 6 months of ~~2009~~ 2011 for the
14 provision of corrective sanctions services for juveniles from that county. In
15 distributing funds to counties under this paragraph, the department shall determine
16 a county's distribution by dividing the amount allocated under this paragraph by the
17 number of slots authorized for the program under s. 938.533 (2) and multiplying the
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22 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
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1 6 months of ~~2007~~ 2009, \$1,333,400 in ~~2008~~ 2010, and \$666,700 in the first 6 months
2 of ~~2009~~ 2011 for alcohol and other drug abuse treatment programs.

3 (END)

Malaise, Gordon

From: Silver, Karina B - DOA [karina.silver@wisconsin.gov]
Sent: Thursday, January 29, 2009 12:37 PM
To: Malaise, Gordon
Cc: Steinmetz, Jana D - DOA
Subject: Draft 0358 change

Gordon,

Sorry to do this to you but we need a couple more changes to the Youth Aids draft.

LRB-0358

Section 1. Insert s. 20.410 (1) (kd), after "...appropriations under..." (or after the listed appropriations, whichever is better for you).

Section 2. Change the numbers to: \$49,891,100 for the last 6 months of 2009, \$99,782,300 for 2010, and \$49,891,200 for the first 6 months of 2011.

Please feel free to call or email with any questions.

Thanks,

Karina B. Silver
Executive Policy and Budget Analyst
State Budget Office
(608) 266-2213



d-note

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DOA:.....Silver, BB0045 - Youth aids funding

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

The bill also adds discretionary federal economic stimulus funds as a funding source for youth aids.

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AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law relating to community youth and family aids (generally referred to as "youth aids"), DOC must allocate to counties various state and federal moneys to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. This bill sets the amounts of youth aids that DOC must allocate to counties in the 2009-11 state fiscal biennium and requires DOC to allocate an additional \$2,000,000 in that biennium to counties based on each county's proportion of the number of juveniles statewide who are placed in a juvenile correctional facility during the most recent three-year period for which that information is available.

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
1-2

2

SECTION 1. 301.26 (7) (intro.) of the statutes is amended to read:

(1) (kd) and ✓

1 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
2 of federal funds and of the appropriations under s. 20.410, (3) (cd) and (ko), the
3 department shall allocate funds for community youth and family aids for the period
4 beginning on July 1, ~~2007~~ 2009, and ending on June 30, ~~2009~~ 2011, as provided in
5 this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

6 SECTION 2. 301.26 (7) (a) (intro.) of the statutes is amended to read:

✓ \$49,891,100

7 301.26 (7) (a) (intro.) For community youth and family aids under this section,
8 amounts not to exceed ~~\$49,395,100~~ ~~\$47,432,600~~ for the last 6 months of 2007,
9 ~~\$99,790,200~~ for ~~2008~~ 2009, ~~\$94,865,200~~ for 2010, and ~~\$50,395,100~~ ~~\$47,432,600~~ for
10 the first 6 months of ~~2009~~ 2011.

✓ \$99,792,300

✓ \$49,891,200

11 SECTION 3. 301.26 (7) (b) (intro.) of the statutes is amended to read:

12 301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
13 allocate \$2,000,000 for the last 6 months of ~~2007~~ 2009, \$4,000,000 for ~~2008~~ 2010, and
14 \$2,000,000 for the first 6 months of ~~2009~~ 2011 to counties based on each of the
15 following factors weighted equally:

16 SECTION 4. 301.26 (7) (bm) of the statutes is amended to read:

17 301.26 (7) (bm) Of the amounts specified in par. (a), the department shall
18 allocate ~~\$5,250,000~~ \$6,250,000 for the last 6 months of 2007, ~~\$11,500,000~~ for 2008
19 2009, \$12,500,000 for 2010, and \$6,250,000 for the first 6 months of ~~2009~~ 2011 to
20 counties based on each county's proportion of the number of juveniles statewide who
21 are placed in a juvenile correctional facility during the most recent 3-year period for
22 which that information is available.

23 SECTION 5. 301.26 (7) (c) of the statutes is amended to read:

24 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate
25 \$1,053,200 for the last 6 months of ~~2007~~ 2009, \$2,106,500 for ~~2008~~ 2010, and

1 \$1,053,300 for the first 6 months of ~~2009~~ 2011 to counties based on each of the factors
2 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
3 allocation under this paragraph that is less than 93% nor more than 115% of the
4 amount that the county would have received under this paragraph if the allocation
5 had been distributed only on the basis of the factor specified in par. (b) 3.

6 **SECTION 6.** 301.26 (7) (e) of the statutes is amended to read:

7 301.26 (7) (e) For emergencies related to community youth and family aids
8 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~2007~~
9 2009, \$250,000 for ~~2008~~ 2010, and \$125,000 for the first 6 months of ~~2009~~ 2011. A
10 county is eligible for payments under this paragraph only if it has a population of not
11 more than 45,000.

12 **SECTION 7.** 301.26 (7) (h) of the statutes is amended to read:

13 301.26 (7) (h) For counties that are participating in the corrective sanctions
14 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~2007~~ 2009,
15 \$2,124,800 in ~~2008~~ 2010, and \$1,062,400 in the first 6 months of ~~2009~~ 2011 for the
16 provision of corrective sanctions services for juveniles from that county. In
17 distributing funds to counties under this paragraph, the department shall determine
18 a county's distribution by dividing the amount allocated under this paragraph by the
19 number of slots authorized for the program under s. 938.533 (2) and multiplying the
20 quotient by the number of slots allocated to that county by agreement between the
21 department and the county. The department may transfer funds among counties as
22 necessary to distribute funds based on the number of slots allocated to each county.

23 **SECTION 8.** 301.26 (8) of the statutes is amended to read:

24 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
25 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last

1 6 months of ~~2007~~ 2009, \$1,333,400 in ~~2008~~ 2010, and \$666,700 in the first 6 months
2 of ~~2009~~ 2011 for alcohol and other drug abuse treatment programs.

3 (END)

d-note



2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0358/3ins
GMM.....

(INSERT 1-2)

1 **SECTION 1.** 46.215 (2) (c) 3. ^X of the statutes is amended to read:

2 46.215 (2) (c) 3. A county department of social services shall develop, under the
3 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related
4 care and services to be purchased. The department of corrections may review the
5 contracts and approve them if they are consistent with s. 301.08 (2) and if state or
6 federal funds are available for such purposes. The joint committee on finance may
7 require the department of corrections to submit the contracts to the committee for
8 review and approval. The department of corrections may not make any payments
9 to a county for programs included in a contract under review by the committee. The
10 department of corrections shall reimburse each county for the contracts from the
11 appropriations [✓] under s. 20.410 (1) (kd) [✓] and (3) (cd) and (ko) as appropriate.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a) [✓]; 2007 a. 45, 96; s. 13.92 (2) (i).

12 **SECTION 2.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

13 46.22 (1) (e) 3. c. A county department of social services shall develop, under
14 the requirements of s. 301.08 (2), plans and contracts for juvenile
15 delinquency-related care and services to be purchased. The department of
16 corrections may review the contracts and approve them if they are consistent with
17 s. 301.08 (2) and to the extent that state or federal funds are available for such
18 purposes. The joint committee on finance may require the department of corrections
19 to submit the contracts to the committee for review and approval. The department
20 of corrections may not make any payments to a county for programs included in the
21 contract that is under review by the committee. The department of corrections shall



1 reimburse each county for the contracts from the appropriations[✓] under s. 20.410 (1)
2 (kd) and (3) (cd) and (ko) as appropriate.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 857 to 877, 9121 (6) (a); 2007~~a.~~ 45, 96; s. 13.92 (2) (i).

3 **SECTION 3.** 301.26 (3) (c) of the statutes is amended to read:

4 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (1) (kd)
5 and (3) (cd) and (ko), the department shall allocate funds to each county for services
6 under this section.

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; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97.

7 **SECTION 4.** 301.26 (6) (a) of the statutes is amended to read:

8 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the
9 legislature in allocating funding, excluding funding for base allocations, from the
10 appropriations[✓] under s. 20.410 (1) (kd) and (3) (cd) and (ko) for purposes described
11 in this section.

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; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97.

(END OF INSERT)

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

LRB-0358/3dn

GMM:...

date

jld

Karina:

Section 20.410 (1) (kd) is created by LRB09-1786/1. If LRB09-1786/1 is not included in the compiled budget bill, then the references to s. 20.410 (1) (kd) should also be deleted from this draft.

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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0358/3dn
GMM:jld.md

January 29, 2009

Karina:

Section 20.410 (1) (kd) is created by 2009 LRB-1786/1. If 2009 LRB-1786/1 is not included in the compiled budget bill, then the references to s. 20.410 (1) (kd) should also be deleted from this draft.

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DOA:.....Silver, BB0045 - Youth aids funding

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law relating to community youth and family aids (generally referred to as "youth aids"), DOC must allocate to counties various state and federal moneys to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. This bill sets the amounts of youth aids that DOC must allocate to counties in the 2009-11 state fiscal biennium and requires DOC to allocate an additional \$2,000,000 in that biennium to counties based on each county's proportion of the number of juveniles statewide who are placed in a juvenile correctional facility during the most recent three-year period for which that information is available. The bill also adds discretionary federal economic stimulus funds as a funding source for youth aids.

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:

2 **SECTION 1.** 46.215 (2) (c) 3. of the statutes is amended to read:

1 46.215 (2) (c) 3. A county department of social services shall develop, under the
2 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related
3 care and services to be purchased. The department of corrections may review the
4 contracts and approve them if they are consistent with s. 301.08 (2) and if state or
5 federal funds are available for such purposes. The joint committee on finance may
6 require the department of corrections to submit the contracts to the committee for
7 review and approval. The department of corrections may not make any payments
8 to a county for programs included in a contract under review by the committee. The
9 department of corrections shall reimburse each county for the contracts from the
10 appropriations under s. 20.410 (1) (kd) and (3) (cd) and (ko) as appropriate.

11 **SECTION 2.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

12 46.22 (1) (e) 3. c. A county department of social services shall develop, under
13 the requirements of s. 301.08 (2), plans and contracts for juvenile
14 delinquency-related care and services to be purchased. The department of
15 corrections may review the contracts and approve them if they are consistent with
16 s. 301.08 (2) and to the extent that state or federal funds are available for such
17 purposes. The joint committee on finance may require the department of corrections
18 to submit the contracts to the committee for review and approval. The department
19 of corrections may not make any payments to a county for programs included in the
20 contract that is under review by the committee. The department of corrections shall
21 reimburse each county for the contracts from the appropriations under s. 20.410 (1)
22 (kd) and (3) (cd) and (ko) as appropriate.

23 **SECTION 3.** 301.26 (3) (c) of the statutes is amended to read:

1 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (1) (kd)
2 and (3) (cd) and (ko), the department shall allocate funds to each county for services
3 under this section.

4 **SECTION 4.** 301.26 (6) (a) of the statutes is amended to read:

5 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the
6 legislature in allocating funding, excluding funding for base allocations, from the
7 appropriations under s. 20.410 (1) (kd) and (3) (cd) and (ko) for purposes described
8 in this section.

9 **SECTION 5.** 301.26 (7) (intro.) of the statutes is amended to read:

10 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
11 of federal funds and of the appropriations under s. 20.410 (1) (kd) and (3) (cd) and
12 (ko), the department shall allocate funds for community youth and family aids for the
13 period beginning on July 1, ~~2007~~ 2009, and ending on June 30, ~~2009~~ 2011, as
14 provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23
15 as follows:

16 **SECTION 6.** 301.26 (7) (a) (intro.) of the statutes is amended to read:

17 301.26 (7) (a) (intro.) For community youth and family aids under this section,
18 amounts not to exceed ~~\$49,395,100~~ \$49,891,100 for the last 6 months of ~~2007~~,
19 ~~\$99,790,200~~ for 2008 2009, \$99,782,300 for 2010, and ~~\$50,395,100~~ \$49,891,200 for
20 the first 6 months of ~~2009~~ 2011.

21 **SECTION 7.** 301.26 (7) (b) (intro.) of the statutes is amended to read:

22 301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
23 allocate \$2,000,000 for the last 6 months of ~~2007~~ 2009, \$4,000,000 for ~~2008~~ 2010, and
24 \$2,000,000 for the first 6 months of ~~2009~~ 2011 to counties based on each of the
25 following factors weighted equally:

1 **SECTION 8.** 301.26 (7) (bm) of the statutes is amended to read:

2 301.26 (7) (bm) Of the amounts specified in par. (a), the department shall
3 allocate ~~\$5,250,000~~ \$6,250,000 for the last 6 months of 2007, ~~\$11,500,000 for 2008~~
4 2009, \$12,500,000 for 2010, and \$6,250,000 for the first 6 months of 2009 2011 to
5 counties based on each county's proportion of the number of juveniles statewide who
6 are placed in a juvenile correctional facility during the most recent 3-year period for
7 which that information is available.

8 **SECTION 9.** 301.26 (7) (c) of the statutes is amended to read:

9 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate
10 \$1,053,200 for the last 6 months of ~~2007~~ 2009, \$2,106,500 for ~~2008~~ 2010, and
11 \$1,053,300 for the first 6 months of ~~2009~~ 2011 to counties based on each of the factors
12 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
13 allocation under this paragraph that is less than 93% nor more than 115% of the
14 amount that the county would have received under this paragraph if the allocation
15 had been distributed only on the basis of the factor specified in par. (b) 3.

16 **SECTION 10.** 301.26 (7) (e) of the statutes is amended to read:

17 301.26 (7) (e) For emergencies related to community youth and family aids
18 under this section, amounts not to exceed \$125,000 for the last 6 months of 2007
19 2009, \$250,000 for 2008 2010, and \$125,000 for the first 6 months of 2009 2011. A
20 county is eligible for payments under this paragraph only if it has a population of not
21 more than 45,000.

22 **SECTION 11.** 301.26 (7) (h) of the statutes is amended to read:

23 301.26 (7) (h) For counties that are participating in the corrective sanctions
24 program under s. 938.533 (2), \$1,062,400 in the last 6 months of 2007 2009,
25 \$2,124,800 in 2008 2010, and \$1,062,400 in the first 6 months of 2009 2011 for the

1 provision of corrective sanctions services for juveniles from that county. In
2 distributing funds to counties under this paragraph, the department shall determine
3 a county's distribution by dividing the amount allocated under this paragraph by the
4 number of slots authorized for the program under s. 938.533 (2) and multiplying the
5 quotient by the number of slots allocated to that county by agreement between the
6 department and the county. The department may transfer funds among counties as
7 necessary to distribute funds based on the number of slots allocated to each county.

8 **SECTION 12.** 301.26 (8) of the statutes is amended to read:

9 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
10 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last
11 6 months of ~~2007~~ 2009, \$1,333,400 in ~~2008~~ 2010, and \$666,700 in the first 6 months
12 of ~~2009~~ 2011 for alcohol and other drug abuse treatment programs.

13 (END)