

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB40)

Received: **6/5/2013** Received By: **gmalaise**
Wanted: **As time permits** Same as LRB:
For: **Legislative Fiscal Bureau 6-3847** By/Representing: **Carmichael**
May Contact: Drafter: **gmalaise**
Subject: **Children - juvenile justice** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Legislative Fiscal Bureau**
Carbon copy (CC) to:

Pre Topic:

LFB:.....Carmichael, Motion #999 -

Topic:

Juvenile placements in juvenile detention facilities

Instructions:

See attached--increase from 180 to 365 days the period for which a juvenile may be placed in a juvenile detention facility under a dispositional order

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 6/5/2013	kfollett 6/5/2013	jfrantze 6/5/2013	_____			
/1				_____	lparisi 6/5/2013		

FE Sent For:

<END>

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/?	gmalaise	1/1/5 6/5	Jb	6/5			

FE Sent For:

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Gru

Senator Darling
Representative Nygren

BUDGET MODIFICATIONS

Motion:

Move to:

Education and Building Program

1. *State Laboratory of Hygiene OWI Testing.* Require the Board of Regents to transfer \$136,400 in 2013-14 and 2014-15 from the UW System's program revenue appropriation balances to the appropriation titled "State Laboratory of Hygiene, drivers." Funding provided through this appropriation is used to support the testing of blood samples for alcohol, controlled substances, and other drugs under the state implied consent laws. In addition, create 2.0 two-year project positions under the State Laboratory of Hygiene beginning in 2013-14.

2. *Center for Investigative Journalism.* Prohibit the Board of Regents from permitting the Center for Investigative Journalism to occupy any facilities owned or leased by the Board of Regents. In addition, prohibit UW employees from doing any work related to the Center for Investigative Journalism as part of their duties as a UW employee.

3. *UW System PR Balances.* Clarify earlier Committee action to specify that the Board of Regents would develop an appropriate methodology to calculate program revenue balances and reserves, expressed both in dollar terms as well as a percentage of total annual expenses, for the UW System as a whole and for individual UW institutions. As under earlier Committee action, the proposed methodology must be submitted to the Joint Audit Committee by September 1, 2013, for its review and approval. In addition, require that the plan submitted by the Board relating to sources of PR funds include the moneys that would be transferred to an appropriation under HEAB for the WHEG-UW program.

4. *Radio Tower Siting.* Clarify earlier Committee action relating to siting of radio towers to include counties, cities, villages, and towns, rather than only cities and towns.

General Government and Justice

5. *Juvenile Placements in Juvenile Detention Facilities.* Modify s. 938.34(3)(f) of the statutes to authorize a juvenile's placement from 180 days to 365 days at a juvenile detention facility, a juvenile portion of a county jail, or a place of non-secure custody designated by the court.

6. *Modifying Statutory Language Relating to Product Liability Law.* Modify current law relating to product liability provisions, as follows:

Motion #999



State of Wisconsin
2013 - 2014 LEGISLATURE

In 6/5

GMM
LRBb034777
10
[Signature]

LFB:.....Carmichael, Motion #999 - Juvenile placements in juvenile detention facilities

**FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL 40**

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

2 **1.** Page 998, line 18: after that line insert:

3 **“SECTION 2325q.** 938.34 (3) (f) 1. of the statutes is amended to read:

4 938.34 (3) (f) 1. The placement may be for any combination of single or
5 consecutive days totalling not more than ~~180~~ 365, including any placement under
6 pars. (a) to (e). The juvenile shall be given credit against the period of detention or
7 nonsecure custody imposed under this paragraph for all time spent in secure
8 detention in connection with the course of conduct for which the detention or
9 nonsecure custody was imposed.”.

History: 1995 a. 77, 352, 440, 448; 1997 a. 27, 35, 36, 84, 130, 164, 183, 205; 1999 a. 9, 32, 57, 89, 185; 2001 a. 16, 59, 69, 109; 2003 a. 33, 50, 200, 321; 2005 a. 14, 253, 277, 344; 2007 a. 97, 116; 2009 a. 8, 28, 103, 137, 185, 302, 334; 2011 a. 32, 258; s. 35.17 correction in (3) (f) 4.

10 **2.** Page 1001, line 22: after that line insert:

✓
1 “**SECTION 2333q.** 938.363 (1) (b) of the statutes is amended to read:

2 938.363 (1) (b) If a hearing is held, at least 3 days before the hearing the court
3 shall notify the juvenile, the juvenile’s parent, guardian, and legal custodian, all
4 parties bound by the dispositional order, the juvenile’s foster parent or other physical
5 custodian described in s. 48.62 (2), and the district attorney or corporation counsel
6 in the county in which the dispositional order was entered. If the juvenile is an
7 Indian juvenile who is in need of protection or services under s. 938.13 (4), (6), (6m),
8 or (7), the court shall also notify the Indian juvenile’s Indian custodian and, if that
9 juvenile is placed outside the home of his or her parent or Indian custodian, the
10 Indian juvenile’s tribe. A copy of the request or proposal shall be attached to the
11 notice. If all parties consent, the court may proceed immediately with the hearing.
12 No revision may extend the effective period of the original order, or revise an original
13 order under s. 938.34 (6) (am) to impose more than a total of 30 days, or under s.
14 938.34 (3) (f) to impose more than a total of 180 [✓]365 days, of detention, nonsecure
15 custody, or inpatient treatment on a juvenile.”.

16 **History:** 1995 a. 27 s. 9126 (19); 1995 a. 77, 275; 1997 a. 35, 80, 237, 252; 1999 a. 103; 2001 a. 38, 109; 2005 a. 344; 2007 a. 20; 2009 a. 28, 79, 94; 2011 a. 32, 181.

(END)



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