

State of Wisconsin



1995 Senate Bill 602

Date of enactment: **May 20, 1996**
Date of publication*: **June 3, 1996**

1995 WISCONSIN ACT 344

AN ACT to amend 301.21 (title), 301.21 (1) (intro.), 301.21 (1) (e), 301.21 (1) (g), 301.21 (1) (j), 301.21 (2), 301.21 (6), 302.02 (3t) and 302.26 of the statutes; relating to: contracts providing for the confinement of prisoners of this state in another state.

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

SECTION 1. 301.21 (title) of the statutes is amended to read:

301.21 (title) **Contracts with Minnesota other states.**

SECTION 2. 301.21 (1) (intro.) of the statutes is amended to read:

301.21 (1) (intro.) The department may enter into one or more contracts with the another state of Minnesota or a political subdivision of another state for the transfer and confinement in Minnesota that state of prisoners who have been committed to the custody of the department. Any such contract shall provide for all of the following:

SECTION 3. 301.21 (1) (e) of the statutes is amended to read:

301.21 (1) (e) Waiver of extradition by Minnesota and Wisconsin and the state to which the prisoners are transferred.

SECTION 4. 301.21 (1) (g) of the statutes is amended to read:

301.21 (1) (g) Regular reporting procedures concerning Wisconsin prisoners by Minnesota officials on Wisconsin prisoners of the state or political subdivision with which the department is contracting.

SECTION 5. 301.21 (1) (j) of the statutes is amended to read:

301.21 (1) (j) Any other matters as are necessary and appropriate to fix the obligations, responsibilities and rights of Minnesota and Wisconsin and the state or political subdivision with which the department is contracting.

SECTION 6. 301.21 (2) of the statutes is amended to read:

301.21 (2) Inmates from Wisconsin state prisons while in Minnesota institutions an institution in another state are subject to all provisions of law and regulation concerning the confinement of persons committed for violations of the laws of Minnesota that state, except as otherwise provided for by any contract entered into under sub. (1).

SECTION 6m. 301.21 (6) of the statutes is amended to read:

301.21 (6) This Contracts under this section are subject to approval under s. 302.26, except that for purposes of s. 302.26 this section constitutes legislative approval for purposes of s. 302.26 of contracts between the department and the state of Minnesota.

SECTION 7. 302.02 (3t) of the statutes is amended to read:

302.02 (3t) (title) MINNESOTA OTHER STATES' INSTITUTIONS. For all purposes of discipline and for judicial pro-

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

ceedings, each Minnesota institution of another state or of a political subdivision of another state authorized for use under s. 301.21 and the precincts thereof shall be deemed to be in a county in which the institution is physically located, and the courts of that county shall have jurisdiction of any activity, wherever located, conducted by such Minnesota the institution.

SECTION 7m. 302.26 of the statutes is amended to read:

302.26 (title) Corrections compact; contracts with other states; approval. The secretary is responsible for

performing all functions necessary or incidental to carrying out the requirements of the interstate corrections compact under s. 302.25. The secretary may delegate and redelegate any of the functions as provided in s. 15.02 (4). ~~A- If a contract involving under s. 301.21 or 302.25 involves the transfer of more than 10 prisoners in any fiscal year to any one state in any fiscal year or to any one political subdivision of another state, the contract~~ may be entered into ~~under s. 302.25~~ only if ~~the contract it~~ is approved by the legislature by law or by the joint committee on finance.
