1999 DRAFTING REQUEST

Assembly Amendment (AA-AB221)

Received: 05/12/99 Wanted: Today For: Bonnie Ladwig (608) 266-9171					Received By: nelsorpl Identical to LRB: By/Representing:												
									This file	may be show	n to any legislat	or: NO		Drafter: nelsorpl Alt. Drafters:			
									May Co	ntact:							
Subject: Drunk Driving - alcohol level Drunk Driving - penalties					Extra Copies:												
Pre Top	pic:																
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Topic:																	
Reduce	increased imp	risonment for of	fenses with h	igh BAC													
Instruc	tions:																
		days inprisonn d license incre			0 days, for . 25, a	dd 120 days. ko	eep 2X, 3X										
Draftin	g History:																
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May Contact: Alt. Drafters:

Subject: Drunk Driving - alcohol level Extra Copies: TE()

Drunk Driving - penalties

Pre Topic:

No specific pre topic given

Topic:

Reduce increased imprisonment for offenses with high BAC

Instructions:

For .15 to .199, add 60 days inprisonment, for .20 to .249, add 90 days, for .25, add 120 days. keep 2X, 3X and 4X for financial and license increased penalties

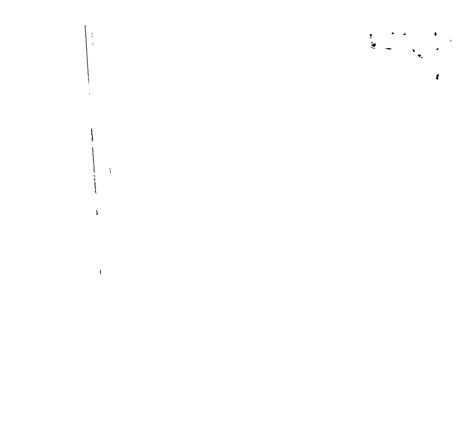
Drafting History:

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FE Sent For:

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20.395(5)(jr)
renumber to (ja)

Senator Burke

TRANSPORTATION - OTHER DIVISIONS

60789

Pretrial Intoxicated Driver Intervention Grant Program

Motion:

Move to increase funding for' the pretrial intoxicated driver intervention grant program by \$265,000 SEG in 199940 and S464.700 SEG in 2000-01. Eliminate the S500.000 limit on the total amount of grants DOT may make under the program.

J5. 53 (3)

Note:

The **pretrial** intoxicated driver intervention **grant program** provides grants to local governments or nonprofit **organizations** to administer programs that enroll defendants who are arrested for a **second or subsequent operating** while intoxicated offense, prior to the trial for that offense. The **programs must, among** other things, monitor and treat the defendant's use of intoxicants in order to reduce the incidence of abuse. Defendants are required to pay a reasonable fee to participate in the program.

The state grant **program** was **created by** 1997 Act 27, and funded at \$150,000 SEG annually. A limit of \$500,000 **was** placed on-the amount of **grants** that could be made under the **program**. This motion would provide funding **sufficient to replace** federal alcohol incentive grant funds that **are** currently being **provided** to **grant recipients** and to **provide** for anticipated growth in the programs administered by **these recipients**. **DOT** indicates that because of changes in the federal grant criteria, it is **uncertain whether** the state **will** continue to be able to use these federal funds during the biennium.

There are currently five **counties** (**Eau** 'Claire, Kenosha, Marathon, Milwaukee **and** Wnukesha) that are **receiving** funds **to administer pretrial** intervention programs. If additional funds **are** provided and the state does receive 'federal alcohol incentive grant funds, the 3dditiond funds could be used to provide grants **to local governments** or **nonprofit** organizations who are not currently **receiving** the **grants**.

[Change to Base: \$729,700 SEG]
[Change to Bill: \$729,700 SEG]

Motion

#466

PETER CONTROL OF THE PROPERTY OF THE PROPERTY

11-5



Section #. 85.53 (3) of the statutes is amended to read:

85.53 (3) Grants under this section shall be paid from the appropriation under s. 20.395 (5)

The amount of a grant may not exceed 80% of the amount expended by an eligible applicant for services related to the program. The-total-amount-of-grants-awarded-under-this-section-may-not exceed-\$500,000-

History: 1997 a. 27.

Transfered to 8. 20.395 (5) (31).



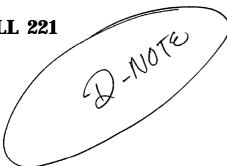
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State af Misconsin 1999 - 2000 LEGISLATURE

LRBa0399/1 RPN..../....

ASSEMBLY AMENDMENT,

TO 1999 ASSEMBLY BILL 221



Page 2, line 9: after "program" insert "pretrial intoxicated driver intervention grants,". requiring a report on incarceration alternatives. 3 1/2• Page 2, line 10: delete "an appropriation" and substitute "appropriations". 4 $\sqrt{3}$. Page 4, line 1: before that line insert: 5 6 **"SECTION 1d.** 20.005 (3) (schedule) of the statutes: at the appropriate place, 7 insert the following amounts for the purposes indicated: 8 2000-01 1999-00 9 20.395 Transportation, department of 10 (5) **MOTORVEHICLESERVICESANDENFORCEMENT** 11 (ja) Pretrial intoxicated driver inter-

GPR

Α

265,000

464,700"

At the locations indicated, amend the bill as follows:

vention grants, state funds

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4. Page 4, line 1: delete "SECTION 1" and substitute "SECTION Ig". 1 **5.** Page 4, line 4: after that line insert: 2 3 **"Section lm.** 20.395 (5) (ja) of the statutes is created to read: 4 20.395 (5) (ja) Pretrial intoxicated driver intervention grants, state funds. The 5 amounts in the schedule for the purpose of awarding grants under s. 85.53. SECTION 1 20.395 (5) (jr) of the statutes is repealed. **SECTION 1v.** 85.53 (3) of the statutes is amended to read: 85.53 (3) Grants under this section shall be paid from the appropriation under 8 s. 20.395 (5) (jr)(ja). The amount of a grant may not exceed 80% of the amount 9 10 expended by an eligible applicant for services related to the program. The total amount of grants awarded under this section may not exceed \$500,000." (11) History: 1997 a./27. Page 16,line 11: delete "forfeitures, fines or" and substitute "fines". 12 7. Page 16, line 12: delete "imprisonments under pars. (b) to (e)" and substitute 13 /14) "under pars. (b) to (e) and have his or her imprisonment increased by 60 days;". V_{8} . Page 16, line 14: delete "forfeitures, fines or imprisonments under pars. (b) 15 16 to (e)" and substitute "fines under pars. (b) to (e) and have his or her imprisonment 17) increased by 90 days.". 1/9. Page 16, line 16: delete "forfeitures, fines or imprisonments under pars." 18 and substitute "fines under pars. (b) to (e) and have his or her imprisonment 19 20 increased by 120 days.". 1/10. Page 16, line 17: delete "(b) to (e).". 21 $m{1}$ 1. Page 23, line 1: on lines $m{1}$, $m{4}$ and $m{8}$, delete "or imprisonment". 22 **12.** Page 25, line 4: delete lines 4 to 6 and substitute: Insert 2-22

2 3 4

"SECTION 641. Effective dates. This act takes effect on the first day of the 4th month beginning after publication, except as follows:

(1) The treatment of sections 20.395 (5) (ja) and (jr) and 85.53 (3) of the statutes takes effect on July 1,1999 ow on the effective date of the 1999–2001 biennial budget act mylichter 13/1411.

END)

6

1999-2000 DRAFTING INSERT FROMTHE LEGISLATIVE REFERENCE BUREAU

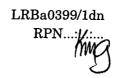
1	inse	rt 2–22:
	7	

1. Page 24, line 8: after that line insert:

"SECTION 62m. Nonstatutory provisions.

(1) The department of corrections shall study and evaluate the desirability of using treatment programs and other alternatives to incarceration as a way to reduce the length of incarceration or the need for incarceration of persons convicted of a and and are subsequent violation of operating a motor vehicle while under the influence on an intoxicant, controlled substance or other drug. No later than the first day of the 9th month beginning after the effective date of this subsection, the department of corrections shall submit a report to the legislature in the manner provided under section 13.172 (2) of the statutes that contains the conclusions of its study and evaluation and any recommendations concerning implementation of its conclusions."

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU



Please note that s. 16.47 (2), stats., states that neither house may pass any bill containing an appropriation increasing the cost of state government or decreasing state revenues by more than \$10,000 annually until both houses pass the executive budget bill, except that the governor or joint committee on finance or, under certain circumstances, the committee on organization of either house may enact emergency appropriation bills prior to the passage of the executive budget bill.

Robert P. Nelson Senior Legislative Attorney Phone: (608) 267-7511

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DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa0399/1dn RPN:kmg:jf

May 13, 1999

Please note that s. 16.47 (2), stats., states that neither house may pass any bill containing an appropriation increasing the cost of state government or decreasing state revenues by more than \$10,000 annually until both houses pass the executive budget bill, except that the governor or joint committee on finance or, under certain circumstances, the committee on organization of either house may enact emergency appropriation bills prior to the passage of the executive budget bill.

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