

1999 DRAFTING REQUEST

Bill

Received: **08/17/1999**

Received By: **isagerro**

Wanted: **As time permits**

Identical to LRB:

For: **Dean Kaufert (608) 2664719**

By/Representing: **Ed Ebule**

This file may be shown to any legislator: NO

Drafter: **isagerro**

May Contact:

Alt. Drafters:

Subject: **Transportation - motor vehicles**
Transportation - miscellaneous

Extra Copies: **JEO**
MGD
RPN

Pre Topic:

No specific pre topic given

Topic:

DOT grant program for cameras in police vehicles

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>
/P1	isagerro 09/01/1999	chanaman 09/02/1999	haugeca 09/02/1999	_____	gretskl 09/02/1999		S&L
/P2	isagerro 10/04/1999	chanaman 10/05/1999	mclark 10/05/1999	_____	lrb-docadmin 10/05/1999		S&L
/1	isagerro 10/11/1999	ygeller 10/11/1999	mclark 10/11/1999	_____	lrb-docadmin 10/11/1999		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	isagerro 10/12/1999	chanaman 10/12/1999		----- _____			
/2			kfollet 10/12/1999	_____ _____	lrb_docadmin 10/12/1999	lrb_docadminS&L 10/12/1999	

10/12/1999.

<END>

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	isagerro 10/12/1999	chanaman 10/12/1999		_____ _____			
/2			kfollet 10/12/1999	_____ _____	lrb_docadmin 10/12/1999		S&L

FE Sent For:

<END>

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For: **Dean Kaufert (608) 266-5719**

By/Representing: **Ed Ebule**

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May Contact:

Alt. Drafters:

Subject: **Transportation - motor vehicles**
Transportation - miscellaneous

Extra Copies: **JEO**
MGD
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See Attached

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/1	isagerro 10/11/1999	kgeller 10/11/1999	mclark 10/11/1999	_____	lrb-docadmin 10/11/1999		S&L

kjf
10/12

kjf/jf
10/12

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: 08/17/1999

Received By: isagerro

Wanted: As time permits

Identical to LRB:

For: *Rep. Sean Kaufut*
Assembly Republican Caucus

By/Representing: *Ed Ebrule*
Mian Dase

This file may be shown to any legislator: NO

Drafter: isagerro

May Contact:

Alt. Drafters: ~~isagerro~~

Subject: **Transportation - motor vehicles**
Transportation - miscellaneous

Extra Copies: *JEO*
MGA
RPN

Pre Topic:

No specific pre topic given

Topic:

DOT grant program for cameras in police vehicles

Instructions:

See Attached

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/P2	isagerro 10/04/1999	chanaman 10/05/1999	mclark 10/05/1999	_____	lrb_docadmin 10/05/1999		S&L

FE Sent For:

1 10/11 JEO
MRC
10/11
CMH
10/12
<END>

1999 DRAFTING REQUEST

Bill

Received: 08/17/1999

Received By: isagerro

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Brian Dake

This file may be shown to any legislator: NO

Drafter: isagerro

May Contact:

Alt. Drafters: nelsorpl

Subject: Transportation - motor vehicles
Transportation - miscellaneous

Extra Copies:



Pre Topic:

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Topic:

DOT grant program for cameras in police vehicles

Instructions:

See Attached

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/P1	isagerro 09/01/1999	chanaman 09/02/1999	haugeca 09/02/1999	_____	gretskl 09/02/1999		S&L

FE Sent For:

MRC MRC/JF
10/5 10/5
<END>

1999 DRAFTING REQUEST

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By/Representing: Brian Dake

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May Contact:

Alt. Drafters: nelsorpl

Subject: Transportation - motor vehicles
Transportation - miscellaneous

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

DOT grant program for cameras in
Require police vehicles to be equipped with cameras

Instructions:

See Attached

Drafting History:

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/P1	isagerro 09/01/1999	lrb_editor cmr 9/2	ch 9-2	ch 9-2 KF			S&L

FE Sent For:

<END>

*Bryan Dake - ARC 8/17/99

video and Polaroid

- Reg. police vehicles to have camera in car by 1/1/02

- when mounted to take pictures ???

- to monitor drunk drivers and take pictures of domestic abuse victims

- paid for by surcharge on those convicted of drunk driving and domestic abuse

- admissible as evidence
→ already allowed

- monitor anything?

- certain penalty for not doing this?

*Conversation w/ Bryan Dake 8/19/99 10:00 am

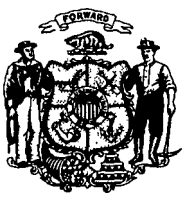
* grant program to allow cities to make decisions if they want it, DOT will pay if localities want camera

* camera should be used in car, not posted on roads

* view the arrest/stop

* on patrol

* use for law enforcement purposes - or not



cmj

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

*✓
Dated
By Tues 9/7/99*

general

1 AN ACT ...; **relating to:** grants to law enforcement agencies for the purchase,
2 installation and maintenance of photographic equipment and making an
3 appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the department of transportation (DOT) to award grants to law enforcement agencies for the purchase, installation and maintenance of photographic equipment. The photographic equipment may only be used by law enforcement to document traffic stops or to document domestic abuse incidents. Also under this bill, a police officer may not make an arrest or issue a traffic citation if the arrest or traffic citation is based solely on evidence obtained from photographic equipment that is funded by a grant awarded by DOT.

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:

✓
SECTION 1. 20.395 (5) (ck) of the statutes is created to read:

NO BOLD
20.395 (5) (ck)

1 20.395 (5) (ck) Grants to law enforcement agencies for photographic
2 equipment. All moneys transferred from s. 20.435 (6) (hx) for the purpose of
3 administering grants to law enforcement agencies under s. 85.55.

4 SECTION 2. 85.55 of the statutes is created to read:

5 **85.55 Law enforcement photographic equipment grant program. (1)**

6 In this section:

7 (a) "Domestic abuse" has the meaning given in s. 968.075 (1) (a).

8 (b) "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).

9 (2) The department shall administer a program to award grants to law
10 enforcement agencies, ~~as defined in s. 165.83 (1) (b)~~, for the purchase, installation
11 and maintenance of photographic equipment. The grants shall be awarded from the
12 appropriation under s. 20.395(5) (ck).

13 (3) Photographic equipment funded by a grant awarded under this section may
14 only be used for the following purposes:

15 (a) To document traffic stops, if the photographic equipment is installed in a
16 police vehicle.

17 (b) To document domestic abuse incidents.

18 SECTION 3. 349.02 (4) of the statutes is created to read:

19 349.02 (4) No police officer, sheriff, deputy sheriff, traffic officer or motor
20 vehicle inspector may make an arrest or issue a uniform traffic citation for a violation
21 of chs. 341 to 348 and 350 or a local ordinance enacted in conformity with chs. 341
22 to 348 and 350 if the arrest or traffic citation is based solely on evidence obtained from
23 photographic equipment that is funded with a grant awarded under s. 85.55.

24 SECTION 4. Effective date.

1 (1) This act takes effect on the first day of the 6th month beginning after
2 publication.

3 **(END)**

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

LRB-3465/P1dn

ISR:.....

cmj

September 1, 1999

Brian Dake:

This is a preliminary draft. As we discussed, this draft does not include all of the necessary appropriations or statutory changes related to the appropriations for the grant programs. Please let me know when you know the amount of the increase in the driver improvement surcharge and the domestic abuse assessment surcharge and I will prepare another draft.

Also, there are several additional issues you may want to consider:

1. Do you want to require a law enforcement agency that receives a grant to contribute matching funds?
2. Do you want the grant program to end after a certain date?
3. Do you want to place a limit on the amount DOT may award to a single law enforcement agency?

Please review this draft carefully. If you have any questions or comments, please do not hesitate to call.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us

(9) *4.* *Are there any other restrictions or requirements you want to place on a grant recipient?*

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

LRB-3465/P1dn
1SR:cmh:ch

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3. Do you want to place a limit on the amount DOT may award to a single law enforcement agency?
4. Are there any other restrictions or requirements you want to place on a grant recipient?

Please review this draft carefully. If you have any questions or comments, please do not hesitate to call.

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99-3465/1

* Ed Ebel, Rep. Kaufert's aide 9/21/99 5:00

- draft in new Rep. Kaufert's
- limit only to polaroid cameras for domestic abuse and traffic stops
- require locals to contribute 20% matching funds from any source (include donations from pt. groups)
- OJA administrators:

* For floor at end of October

* Ed Ebel 9/22 8:30

- will fund w/ ↑ in driver improvement: domestic abuse surcharge
- for talk to LFB about increase

* Ed Ebel 9/28

- 50/50 funding
- copy to LFB

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Note soon

As a condition of receiving a grant, a law enforcement agency is required to provide 50% percent matching funds

1 AN ACT to create 20.395 (5) (ck), 85.55 and 349.02 (4) of the statutes; relating
2 to: grants to law enforcement agencies for the purchase-
3 ~~purchase~~ of photographic equipment and making an appropriation.

Office of Justice Administration (OJA)

Analysis by the Legislative Reference Bureau

This bill requires the ~~Department of Transportation (DOT)~~ to award grants to law enforcement agencies for the purchase, installation and maintenance of photographic equipment. The photographic equipment may only be used by law enforcement to document traffic stops ~~and document~~ domestic abuse incidents. Also under this bill, a police officer may not make an arrest or issue a traffic citation if the arrest or traffic citation is based solely on evidence obtained from photographic equipment that is funded by a grant awarded by DOT OJA

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:

4 SECTION 1. 20.395 (5) (ck) of the statutes is created to read:
505 (6) (km)

agencies
cameras that develop pictures instantly
only
purchased with
a grant camera

SECTION 1

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505 (6) (Km)
 20.395 (5) (sk) Grants to law enforcement agencies for ~~photographic equipment.~~ ^{cameras}

The appropriations under s. 20.435 (3) (hh) and
 All moneys transferred from ~~20.487 (6) (hx)~~ for the purpose of administering grants
 to law enforcement agencies under s. ~~85.55~~ ^{16.964 (6)}

SECTION 2. ~~85.55~~ of the statutes is created to read:

85.55 Law enforcement photographic equipment grant program.

(a) In this section:

1. "Domestic abuse" has the meaning given in s. 968.075 (1) (a),

2. "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).

(b) The department shall administer a program to award grants to law enforcement agencies for the purchase, installation and maintenance of photographic equipment. ^{from the appropriation account under s. 20.505 (6) (Km)}
 Cameras that develop pictures instantly. ^{under this subsection may only be used to}
 The grants shall be awarded from the appropriation under ~~s. 20.395 (5) (sk).~~

(3) Photographic equipment funded by a grant awarded under this section may only be used for the following purposes:
 (a) document traffic stops, ^{no 4} if the photographic equipment is installed in a police vehicle, ^{and}
 (b) To document domestic abuse incidents. ^{no 9} A law enforcement agency that receives a grant under this subsection shall contribute matching funds equal to 50% of the amount awarded under this subsection.

SECTION 3. 349.02 (4) of the statutes is created to read:

349.02 (4) No police officer, sheriff, deputy sheriff, traffic officer or motor vehicle inspector may make an arrest or issue a uniform traffic citation for a violation of chs. 341 to 348 and 350 or a local ordinance enacted in conformity with chs. 341 to 348 and 350 if the arrest or traffic citation is based solely on evidence obtained from a ~~photographic equipment~~ camera purchased photographic equipment that is funded with a grant awarded under s. ~~85.55~~ ^{16.964 (6)}.

SECTION 4. Effective date.

I
~~cameras~~
 awarding

1
2

(1) This act takes effect on the first day of the 6th month beginning after publication.

3

(END)

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

LRB-3465/P2dn

ISR:.....

cmj

October 4, 1999

DATE

Representative Kaufert:

This is a preliminary draft. This draft does not include the necessary appropriations or statutory changes related to the appropriations for the grant program. Please let me know when you make a decisions on the amount of the increase in the driver improvement surcharge and the domestic abuse assessment surcharge and I will prepare another draft to reflect the increases.

If you have any questions or comments, please feel free to contact me.

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

LRB-3465/P2dn
ISR:cmh:mrc

October 5, 1999

Representative Kaufert:

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* Ed Ebole 10/8/99

* change polaroid camera to any camera except
video cameras

* ↑ surcharges by \$1 each

#B46.655

* Under current law, \$127.84 goes to state
212.16 goes to county

$$\$370 \times .376 = \$127.84$$

* with ↑ \$1, \$128.84 goes to state
212.16 goes to county

$$\$391x = 128.84$$

$$x = .3778 \quad 37.78\% \text{ goes to state}$$

#20.435(6)(hx)

* Under current law, \$127.84 × .3129 = \$40.00 goes to (5)(di)

$$* \text{with } \uparrow \$1, \$128.84x = \$40.00$$

$$x = 31.05\% \text{ to (5)(di)}$$

* \$1 of \$128.84 = 0.78% to 20.505(6)(km)

$$\frac{\$6}{128.83} =$$

$$128.83 \times (\%) = 70.$$



WTOs: Fix Request Sheet

State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3465/P2
ISR:cmb:mrc

jlg* RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

WPO -
SORT
DRAFT

Today

Regen

1 AN ACT to create 20.505 (6) (km), 16.964 (6) and 349.02 (4) of the statutes;
2 relating to: grants to law enforcement agencies for the purchase of
3 photographic equipment and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the office of justice administration (OJA) to award grants to law enforcement agencies for the purchase of cameras that develop pictures instantly. The cameras may be used by law enforcement agencies only to document traffic stops and domestic abuse incidents. As a condition of receiving a grant, a law enforcement agency is required to provide 50% matching funds. Also under this bill, a police officer may not make an arrest or issue a traffic citation if the arrest or traffic citation is based solely on evidence obtained from a camera that is purchased with a grant awarded by OJA.

offer than... cameras

Insert A

* For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

INSERT
1-3
from
P-2

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

* -> Insert 1-4.

SECTION 1. 20.505 (6) (km) of the statutes is created to read:

1 20.505 (6) (km) Grants to law enforcement agencies for cameras. All moneys
 2 received from part B of the domestic abuse assessment surcharge authorized
 transferred from the appropriations under s. 20.435 (3) (hb) and (6) (hx) for the
 purpose of awarding grants to law enforcement agencies under s. 16.964 (6).
 SS. 971.37

973.055 and
 all moneys

INS
 1-3
 move to p. 1

SECTION 2. 16.964 (6) of the statutes is created to read:

16.964 (6) (a) In this section:

1. "Domestic abuse" has the meaning given in s. 968.075 (1) (a).
2. "Law enforcement agency" has the meaning given in s. 165.83 (1) (b)..

(b) The office shall award grants from the appropriation account under s.

20.505 (6) (km) to law enforcement agencies for the purchase of cameras that develop
 pictures instantly, other than video cameras. Cameras purchased with a grant awarded under this subsection
 may be used only to document traffic stops and domestic abuse incidents. A law
 enforcement agency that receives a grant under this subsection shall contribute
 matching funds equal to 50% of the amount awarded under this subsection.

Insert 2-13 ✓

SECTION 3. 349.02 (4) of the statutes is created to read:

349.02 (4) No police officer, sheriff, deputy sheriff, traffic officer or motor
 vehicle inspector may make an arrest or issue a uniform traffic citation for a violation
 of chs. 341 to 348 and 350 or a local ordinance enacted in conformity with chs. 341
 to 348 and 350 if the arrest or traffic citation is based solely on evidence obtained from
 a camera purchased with a grant awarded under s. 16.964 (6).

Insert 2-20 ✓

(END)

**1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3465/lins
ISR:.....

Insert A

Current law imposes a driver improvement surcharge on a person who violates certain laws relating to driving while intoxicated and a domestic abuse assessment on a person who violates certain laws relating to domestic abuse. This bill increases the driver improvement surcharge from \$340 to \$341[✓] and the domestic abuse assessment from \$50 to \$51[✓]. The money collected from the increases in the surcharge and assessment ~~must be used~~^{is} to fund the camera grant program.

Insert 1-4

SECTION 1. 20.435 (3) [✓](hh) of the statutes is amended to read:

20.435 (3) (hh) *Domestic abuse assessment grants.* All moneys received from [✓]part A of the domestic abuse assessment surcharge on court fines, as authorized under s. 971.37 (1m) (c) 1. or 973.055, to provide grants to domestic abuse services organizations under s. 46.95.

History: 1971 c. 125 ss. 138 to 155, 522 (1), 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427, 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5.

SECTION 2. 20.435 (6) [✓](hx) of the statutes is amended to read:

20.435 (6) (hx) *Services related to drivers, receipts.* The amounts in the schedule for services related to drivers. All moneys received by the state treasurer from the driver improvement surcharge on court fines and forfeitures authorized under s. 346.655 shall be credited to this appropriation. The secretary of administration shall annually transfer to the appropriation account under s. 20.395 (5) (di) ~~31.29%~~ [✓]31.05% of all moneys credited to this appropriation. The secretary of administration shall annually transfer to the appropriation account under s. 20.505 (6) (km) [✓]0.78% of all moneys credited to this appropriation. The moneys remaining may be transferred to sub. (7) (hy) and ss. 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5)

(ci) and 20.455 (5) (h) by the secretary of administration after consultation with the secretaries of health and family services and transportation, the superintendent of public instruction, the attorney general and the president of the University of Wisconsin System.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336, 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80, 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447, 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245, 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102, 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359, 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 8.27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5.

Insert 2-13

SECTION 3. 346.655 (1) of the statutes is amended to read:

346.655 (1) On or after July 1, 1988, if a court imposes a fine or a forfeiture for a violation of s. 346.63 (1) or (5), or a local ordinance in conformity therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, it shall impose a driver improvement surcharge in an amount of \$346 \$341 in addition to the fine or forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment.

History: 1981 c. 20; 1981 c. 314; 1983 a. 27 s. 2202 (20); 1986 a. 29, 337; 1987 a. 3, 27, 399; 1989 a. 31, 105; 1991 a. 39; 1993 a. 16; 1995 a. 27, 201; 1997 a. 27.

SECTION 4. 346.655 (2) of the statutes is amended to read:

346.655 (2) (a) Except as provided in par. (b), the clerk of court shall collect and transmit the amount under sub. (1) to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer shall then make payment of ~~37.6%~~ 37.78% of the amount to the state treasurer as provided in s. 59.25 (3) (f) 2.

(b) If the forfeiture is imposed by a municipal court, the court shall transmit the amount to the treasurer of the county, city, town or village, and that treasurer shall make payment of ~~91~~ 37.78% of the amount to the state treasurer as provided

in s. 66.12 (1) (b). The treasurer of the city, town or village shall transmit the remaining ~~62.4%~~ 62.22% of the amount to the treasurer of the county.

History: 1981 c. 20; 1981 c. 314; 1983 a. 27 s. 2202 (20); 1985 a. 29,337; 1987 a. 3, 27, 399; 1989 a. 31, 105; 1991 a. 39; 1993 a. 16; 1995 a. 27,201; 1997 a. 27

Insert 2-20

SECTION 5. 971.37 (lm) (c) 1. a. of the statutes is amended to read:

971.37 **(lm)** (c) 1. a. The district attorney shall determine the amount due. The district attorney may authorize less than a full assessment if he or she believes that full payment would have a negative impact on the offender's family. If the district attorney authorizes an amount less than a full assessment the district attorney shall indicate the amount being authorized from both part A and part B of the assessment. The district attorney shall provide the clerk of circuit court with the information necessary to comply with subd. 1. b.

History: 1979 c. 111; 1981 c. 88,366; 1983 a. 204; 1987 a. 27; 1987 a. 332 s. 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

SECTION 6. 973.055 (1) (intro.) of the statutes is amended to read:

973.055 **(1)** (intro.) If a court imposes a sentence on an adult person or places an adult person on probation, regardless of whether any fine is imposed, the court shall impose a domestic abuse assessment of \$50 \$51 for each offense if:

History: 1979 c. 111; 1979 c. 221 s. 2202 (20); 1979 c. 355; 1981 c. 20 s. 2202 (20) (s); 1983 a. 27 s. 2202 (20); 1987 a. 27; 1989 8.31; 1991 a. 39; 1993 a. 262,319; 1995 a. 27, 201, 343, 353; 1997 a. 27, 35, 143.

SECTION 7. 973.055 (2m) of the statutes is created to read:

973.055 **(2m)** (a) The clerk of court shall record the domestic abuse surcharge in 2 parts. Part A shall equal \$50 and part B shall equal \$1.

(b) The state treasurer shall deposit part A into the appropriation account under s. 20.435 (3) (hh) and shall deposit part B into the appropriation account under s. 20.505 (6) (km).

SECTION 8. 973.055 (3) of the statutes is repealed.

SECTION 9. 973.055 (4) of the statutes is amended to read:

973.055 (4) A court may waive ~~part or~~ all or a nortion of the domestic abuse assessment under this section if it determines that the imposition of the full assessment would have a negative impact on the offender's family. ^{plain} If a court waives a nortion of the domestic abuse assessment. the court shall indicate the amounts being waived from both part A and part B. _{score}

History: 1979 c. 111; 1979 c. 221 s. 2202 (20); 1979 c. 355; 1981 c. 20 s. 2202 (20) (s); 1983 a. 27 s. 2202 (20); 1987 a. 27; 1989 a. 31; 1991 a. 39; 1993 a. 262,319; 1995 a. 27, 201, 343, 353; 1997 a. 27, 35, 143.



RM
not run

1999 BILL

repeal
Now
Amends ✓

1 **AN ACT** to **repeal 973.055 (3); to amend 20.435 (3)** (hh), 20.435 (6) (hx), 346.655
2 (1), 346.655 (2), 971.37 (lm) (c) 1. a., 973.055 (1) (intro.) and 973.055 (4); and
3 **to create** 16.964 (6), 20.505 (6) (km), 349.02 (4) and 973.055 (2m) of the
4 statutes; **relating to:** grants to law enforcement agencies for the purchase of
5 photographic equipment and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the office of justice administration (OJA) to award grants to law enforcement agencies for the purchase of cameras, other than video cameras. The cameras may be used by law enforcement agencies only to document traffic stops and domestic abuse incidents. As a condition of receiving a grant, a law enforcement agency is required to provide 50% matching funds. A police officer may not make an arrest or issue a traffic citation if the arrest or traffic citation is based solely on evidence obtained from a camera that is purchased with a grant awarded by OJA.

* Current law imposes a driver improvement surcharge on a person who violates certain laws relating to driving while intoxicated and ^{imposes} a domestic abuse assessment on a person who violates certain laws relating to domestic abuse. This bill increases the driver improvement surcharge from \$340 to \$341 and the domestic abuse assessment from \$50 to \$51. The money collected from the increases in the surcharge and assessment is used to fund the camera grant program.

BILL

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:

1 **SECTION 1.** 16.964 (6) of the statutes is created to read:

2 16.964 (6) (a) In this section:

3 1. "Domestic abuse" has the meaning given in s. 968.075 (1) (a).

4 2. "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).

5 (b) The office shall award grants from the appropriation account under s.
6 20.505 (6) (km) to law enforcement agencies for the purchase of cameras, other than
7 video cameras. Cameras purchased with a grant awarded under this subsection may
8 be used only to document traffic stops and domestic abuse incidents. A law
9 enforcement agency that receives a grant under this subsection shall contribute
10 matching funds equal to 50% of the amount awarded under this subsection.

11 **SECTION 2.** 20.435 (3) (hh) of the statutes is amended to read:

12 20.435 (3) (hh) *Domestic abuse assessment grants.* All moneys received from
13 part A of the domestic abuse assessment surcharge on court fines, as authorized
14 under s. 971.37 (1m)(c) 1. or 973.055, to provide grants to domestic abuse services
15 organizations under s. 46.95.

16 **SECTION 3.** 20.435 (6) (hx) of the statutes is amended to read:

17 20.435 (6) (hx) *Services related to drivers, receipts.* The amounts in the
18 schedule for services related to drivers. All moneys received by the state treasurer
19 from the driver improvement surcharge on court fines and forfeitures authorized
20 under s. 346.655 shall be credited to this appropriation. The secretary of
21 administration shall annually transfer to the appropriation account under s. 20.395

BILL

1 (5) (di) ~~31.29%~~ 31.054 o ~~1~~ moneys credited to this appropriation. The secretary of
 2 administration shall annually transfer to the appropriation account under s. 20.505
 3 (6) (km) 0.78% of all moneys credited to this appropriation. The moneys remaining
 4 may be transferred to sub. (7) (hy) and ss. 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5)
 5 (ci) and 20.455 (5) (h) by the secretary of administration after consultation with the
 6 secretaries of health and family services and transportation, the superintendent of
 7 public instruction, the attorney general and the president of the University of
 8 Wisconsin System.

9 **SECTION 4.** 20.505 (6) (km) of the statutes is created to read:

10 **20.505 (6) (km) Grants to law enforcement agencies for cameras.** All moneys
 11 received from part B of the domestic abuse assessment surcharge authorized under
 12 ss. 971.37 (lm) (c) 1. and 973.055 and all moneys transferred from the appropriation
 13 under s. 20.435 ~~AND~~ ²¹ (6) (hx) for the purpose of awarding grants to law enforcement
 14 agencies under s. 16.964 (6).

15 **SECTION 5.** 346.655 (1) of the statutes is amended to read:

16 346.655 (1) On or after July 1, 1988, if a court imposes a fine or a forfeiture for
 17 a violation of s. 346.63 (1) or (5), or a local ordinance in conformity therewith, or s.
 18 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle,
 19 it shall impose a driver improvement surcharge in an amount of ~~\$340~~ \$341 in
 20 addition to the fine or forfeiture, penalty assessment, jail assessment and crime
 21 laboratories and drug law enforcement assessment.

22 **SECTION 6.** 346.655 (2) of the statutes is amended to read:

23 346.655 (2) (a) Except as provided in par. (b), the clerk of court shall collect and
 24 transmit the amount under sub. (1) to the county treasurer as provided in s. 59.40

BILL

1 (2) (m). The county treasurer shall then make payment of ~~37.6%~~ 37.78% of the
2 amount to the state treasurer as provided in s. 59.25 (3) (f) 2.

3 (b) If the forfeiture is imposed by a municipal court, the court shall transmit
4 the amount to the treasurer of the county, city, town or village, and that treasurer
5 shall make payment of ~~37.6%~~ 37.78% of the amount to the state treasurer as provided
6 in s. 66.12 (1) (b). The treasurer of the city, town or village shall transmit the
7 remaining ~~62.4%~~ 62.22% of the amount to the treasurer of the county.

8 SECTION 7. 349.02 (4) of the statutes is created to read:

9 349.02 (4) No police officer, sheriff, deputy sheriff, traffic officer or motor
10 vehicle inspector may make an arrest or issue a uniform traffic citation for a violation
11 of chs. 341 to 348 and 350 or a local ordinance enacted in conformity with chs. 341
12 to 348 and 350 if the arrest or traffic citation is based solely on evidence obtained from
13 a camera purchased with a grant awarded under s. **16.964 (6)**.

14 SECTION 8. 971.37 (lm) (c) 1. a. of the statutes is amended to read:

15 971.37 (lm) (c) 1. a. The district attorney shall determine the amount due. The
16 district attorney may authorize less than a full assessment if he or she believes that
17 full payment would have a negative impact on the offender's family. If the district
18 attorney authorizes an amount less than a full assessment, the district attorney shall
19 indicate the amount being authorized from both part A and part B of the assessment.
20 The district attorney shall provide the clerk of circuit court with the information
21 necessary to comply with subd. 1. b.

22 SECTION 9. 973.055 (1) (intro.) of the statutes is amended to read:

23 973.055 (1) (intro.) If a court imposes a sentence on an adult person or places
24 an adult person on probation, regardless of whether any fine is imposed, the court
25 shall impose a domestic abuse assessment of ~~\$50~~ \$51 for each offense if:

ISR/cmj

October 12, 1999

This version corrects a technical error on
=
page 3, line 13. . . I.

- ISR

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

LRB-3465/2dn
ISR:cmh:kjf

October 12, 1999

This version corrects a technical error on page 3, line 13.

Ivy G. Sager-Rosenthal
Legislative Attorney
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E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 10/12/1999

To: Representative Kaufert

Relating to LRB drafting number: LRB-3465

Topic

DOT grant program for cameras in police vehicles

Subject(s)

Transportation - motor vehicles, Transportation - miscellaneous

1. **JACKET** the draft for introduction Rep. Kaufert
in the **Senate** _____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction yes

Done
10-12-99
GMB

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-356 1. If you have any questions relating to the attached draft, please feel free to call me.

Ivy G. Sager-Rosenthal, Legislative Attorney
Telephone: (608) 261-4455