

**SENATE AMENDMENT 4,
TO 1999 SENATE BILL 357**

February 8, 2000 – Offered by Senator MOORE.

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

2 **1.** Page 35, line 17: after that line insert:

3 “**SECTION 10m.** 15.01 (2) of the statutes, as affected by 1999 Wisconsin Act
4 (this act), is amended to read:

5 15.01 **(2)** “Commission” means a 3–member governing body in charge of a
6 department or independent agency or of a division or other subunit within a
7 department, except for the Wisconsin waterways commission which shall consist of
8 5 members, the parole commission which shall consist of ~~6~~ 8 members and the Fox
9 river management commission which shall consist of 7 members. A Wisconsin group
10 created for participation in a continuing interstate body, or the interstate body itself,
11 shall be known as a “commission”, but is not a commission for purposes of s. 15.06.
12 The parole commission created under s. ~~15.145–(1)~~ 15.77 shall be known as a
13 “commission”, but is not a commission for purposes of s. 15.06. The sentencing

1 commission created under s. 15.105 (26) shall be known as a “commission” but is not
2 a commission for purposes of s. 15.06 (1) to (4m), (7) and (9).”.

3 **2.** Page 37, line 12: after that line insert:

4 “**SECTION 12m.** 15.145 (1) of the statutes is renumbered 15.77 and amended to
5 read:

6 **15.77 Parole commission.** There is created ~~in the department of corrections~~
7 a parole commission consisting of ~~6~~ 8 members. Members shall have knowledge of
8 or experience in corrections or criminal justice. The members shall include a
9 chairperson who is nominated by the governor, and with the advice and consent of
10 the senate appointed, for a 2-year term expiring March 1 of the odd-numbered years,
11 subject to removal under s. 17.07 (3m), and ~~5~~ 7 members in the classified service
12 appointed by the chairperson.

13 **SECTION 12p.** 15.145 (2) of the statutes is renumbered 15.145.”.

14 **3.** Page 39, line 22: after that line insert:

15 “**SECTION 21m.** 20.410 (2) of the statutes is renumbered 20.415 and amended
16 to read:

17 **20.415 Parole commission.** There is appropriated to the parole commission
18 for the following program:

19 (1) PAROLE. (a) *General program operations.* The amounts in the schedule for
20 the general program operations of the parole commission.

21 (kx) *Interagency and intra-agency programs.* All moneys received from other
22 state agencies ~~and all moneys received by the department from the department not~~
23 ~~directed to be deposited under sub. (1) (kk) or (km)~~ for the administration of
24 programs or projects for which received.”.

1 **4.** Page 125, line 12: after that line insert:

2 “**SECTION 271g.** 301.21 (1m) (c) of the statutes is amended to read:

3 301.21 **(1m)** (c) Any hearing to consider parole to which an inmate confined
4 under this contract may be entitled by the laws of Wisconsin will be conducted by the
5 Wisconsin parole commission under the commission's rules of ~~the department~~.

6 **SECTION 271r.** 301.21 (2m) (c) of the statutes is amended to read:

7 301.21 **(2m)** (c) Any hearing to consider parole to which a prisoner confined
8 under a contract under this subsection may be entitled by the laws of Wisconsin shall
9 be conducted by the Wisconsin parole commission under the commission's rules of
10 ~~the department.~~”.

11 **5.** Page 146, line 2: after that line insert:

12 “**SECTION 308r.** 304.01 (2) (e) of the statutes is created to read:

13 304.01 **(2)** (e) Appropriate office space for the parole commission to carry out
14 its duties.”.

15 **6.** Page 288, line 15: after that line insert:

16 “(2k) ESTABLISHMENT OF PAROLE COMMISSION AS INDEPENDENT AGENCY.

17 (a) *Assets and liabilities.* On January 1, 2001, all assets and liabilities of the
18 department of corrections that are primarily related to the functions performed by
19 the parole commission, as determined by the secretary of administration, shall
20 become the assets and liabilities of the parole commission.

21 (b) *Chairperson tenure.* Notwithstanding section 15.77 of the statutes, as
22 affected by this act, the chairperson of the parole commission under section 15.145
23 (1), 1997 stats., on December 31, 2000, shall be chairperson of the parole commission

1 under section 15.77, as affected by this act, for a term beginning January 1, 2001, and
2 expiring March 1, 2001, subject to removal under section 17.07 (3m) of the statutes.

3 (c) *Employe transfers.* On January 1, 2001, 11.0 FTE positions in the
4 department of corrections that are primarily related to the functions performed by
5 the parole commission and the incumbents holding these positions, as determined
6 by the secretary of administration, are transferred to the parole commission, to be
7 funded from the appropriation under section 20.415 (1) (a) of the statutes, as affected
8 by this act.

9 (d) *Employe status.* Employes transferred under paragraph (c) have all the
10 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
11 statutes in the parole commission that they enjoyed in the department of corrections
12 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
13 no employe so transferred who has attained permanent status in class is required to
14 serve a probationary period.

15 (e) *Supplies and equipment.* On January 1, 2001, all tangible personal
16 property, including records, of the department of corrections that is primarily related
17 to the functions performed by the parole commission, as determined by the secretary
18 of administration, is transferred to the parole commission.

19 (f) *Contracts.* On January 1, 2001, all contracts entered into by the department
20 of corrections that are primarily related to the functions performed by the parole
21 commission, as determined by the secretary of administration, and that are in effect
22 on the effective date of this paragraph, remain in effect and are transferred to the
23 parole commission. The parole commission shall carry out the obligations under
24 these contracts until the obligations are modified or rescinded by the parole
25 commission to the extent allowed under the contract.

1 (g) *Rules and orders.* All rules promulgated by the department of corrections
2 or by the parole commission that are in effect on the effective date of this paragraph
3 and that are primarily related to the functions performed by the parole commission
4 remain in effect until their specified expiration date or until amended or repealed by
5 the parole commission. All orders issued by the department of corrections or by the
6 parole commission that are in effect on the effective date of this paragraph and that
7 are primarily related to the functions performed by the parole commission remain
8 in effect until their specified expiration date or until modified or rescinded by the
9 parole commission.”.

10 **7.** Page 294, line 25: after that line insert:

11 **“SECTION 9211. Appropriation changes; corrections.**

12 (1k) PAROLE COMMISSION.

13 (a) In the schedule under section 20.005 (3) of the statutes for the appropriation
14 to the parole commission under section 20.415 (1) (a) of the statutes, as affected by
15 the acts of 1999, the dollar amount is increased by \$24,100 for fiscal year 2000–01
16 to increase the authorized FTE positions for the parole commission by 1.0 program
17 assistant on January 1, 2001, for the performance of services relating to the duties
18 of the commission.”.

19 (b) In the schedule under section 20.005 (3) of the statutes for the appropriation
20 to the parole commission under section 20.415 (1) (a) of the statutes, as affected by
21 the acts of 1999, the dollar amount is increased by \$50,000 for fiscal year 2000–01
22 to the improvement of computers and other technology used by the commission.

23 (c) In the schedule under section 20.005 (3) of the statutes for the appropriation
24 to the parole commission under section 20.415 (1) (a) of the statutes, as affected by

1 the acts of 1999, the dollar amount is increased by \$87,400 for fiscal year 2000–01
2 to increase the authorized FTE positions for the parole commission by 2.0 parole
3 commissioners on January 1, 2001, for the performance of the duties of the
4 commission.”.

5 **8.** Page 299, line 14: after that line insert:

6 “(2k) PAROLE COMMISSION. The treatment of sections 15.01 (2) (by SECTION 10m),
7 15.145 (1) and (2), 20.410 (2), 301.21 (1m) (c) and 304.01 (2) (e) of the statutes takes
8 effect on January 1, 2001.”.

9 (END)