

1999 DRAFTING REQUEST

Bill

Received: **09/22/98**

Received By: **malaigm**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-8270**

By/Representing: **Coomber**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact: **See attached**

Alt. Drafters:

Subject: **Children - delinquency**

Extra Copies:

Topic:

DOA:.....Coomber - Depositing of aftercare services revenues

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	malaigm 09/23/98	gilfokm 10/5/98	martykr 10/5/98	_____	lrb_docadmin 10/5/98		
/1	malaigm 10/7/98	gilfokm 10/7/98	lpaasch 10/7/98	_____	lrb_docadmin 10/7/98		
/2	malaigm 01/29/99	gilfokm 01/29/99	martykr 01/29/99	_____	gretskl 01/29/99		

FE Sent For:

<END>

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FE Sent For:		1-10-7 King	10-7LP.	10-7LP. JP <END>			

1999 DRAFTING REQUEST

Bill

Received: **09/22/98**

Received By: **malaigm**

Wanted: **As time permits**

Identical to LRB:

For: **Corrections 7-0930**

By/Representing: **Mary Cassady**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact: **See attached**

Alt. Drafters:

Subject: **Children - delinquency**

Extra Copies:

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Depositing of aftercare services revenues

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/P1	malaigm 09/23/98	gilfokm 10/5/98	martykr 10/5/98	_____	lrb_docadmin 10/5/98		

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<END>

1999 DRAFTING REQUEST

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Wanted: **As time permits**

Identical to LRB:

For: **Corrections 7-0930**

By/Representing: **Mary Cassidy**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact: **See attached**

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Subject: **Children - delinquency**

Extra Copies:

Topic:

Depositing of aftercare services revenues

Instructions:

See Attached

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/P1	malaigm	AP1-10-5 King	Km 10/5	16m 25	10/5 Yes		

FE Sent For:

<END>

Olsen, Jefren

From: Barman, Mike
Sent: Tuesday, September 22, 1998 8:27 AM
To: Olsen, Jefren
Subject: FW: CORRECTIONS STATUTORY PROPOSALS

-----Original Message-----

From: **Cassady, Mary E. (Exchange) [SMTP:Mary.Cassady@doc.state.wi.us] <mailto:>**
Sent: Tuesday, September 22, 1998 8:18 AM
To: Barman, Mike
Subject: FW: CORRECTIONS STATUTORY PROPOSALS

> -----
> **From:** **Cassady, Mary E. (Exchange)**
> **Sent:** Monday, September 21, 1998 3:57 PM
> **To:** 'LRB.LEGAL@LEGIS.STATE.WI.US'
> **Subject:** CORRECTIONS STATUTORY PROPOSALS
>
>
> Please forward the following to Jefrin Olson:
>
> Doug Percy, DOA asked that I send you the department's statutory
> proposals for the 1999-01 biennial budget. Attached are three
> proposals. If you have any questions please contact me (Mary
> Cassady)
> at 267-0930. Thank you.
>
>
>
> The only other one that we have is the juvenile rates. Hopefully we
> will have those done by tomorrow morning and I will get them to you.
>
> P.S. We promised to have the budget in by Friday of this week which
> means we would like to get it to printing by Wednesday. Please let me
> know if you can get these done by then or how I should handle it if
> you
> can't.
>
>
>
>



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Canteen
Operations.doc



DJC Aftercare
Deposits.doc

DEPARTMENT OF CORRECTIONS
1999-01 Biennial Budget Statutory Proposal

Topic: Depositing of Aftercare Services Revenue

Current Language:

Section 301.26(4)(g), Wis. Stats., currently reads as:

For juvenile field and institutional aftercare services under ch. 938 and for the office of juvenile offender review, all payments and deductions made under this subsection and uniform fee collections under s. 301.03 (18) shall be deposited in the general fund and shall be treated as a nonappropriated receipt.

Proposed Change:

Section 301.26(4)(g), Wis. Stats., is amended to read:

For juvenile field and institutional aftercare services under ch. 938, all payments and deductions made under this subsection and uniform fee collections under s. 301.03(18) shall be ~~deposited in the general fund and shall be treated as a nonappropriated receipt~~ credited to the appropriation account under s. 20.410(3)(hm).

Explanatory note:

Section 301.26(4)(g), Wis. Stats., directs the Department to deposit in the general fund as a non-appropriated receipt, payments and deductions for juvenile aftercare services under ch. 938.

Section 20.410(3)(hm), Wis. Stats. directs the Department to credit to s. 20.410(3)(hm) all monies received in payment for juvenile correctional services under ch. 938 and specified under s. 301.26(4)(d), except as provided in paragraphs (e) to (g). Further, s. 938.34(4n) requires the Department to see that aftercare services are provided and that expenses incurred in the provision of these services be paid from s. 20.410(3)(hm). As a result, the Department is directed to pay operating expenses for aftercare services from a program revenue appropriation (s. 20.410(3)(hm)), while depositing revenue earned from providing these services into the general fund. This is inconsistent both with the purpose of a program revenue appropriation and the objectives of s. 20.410(3)(hm).

The Department recommends clarifying language to make the revenue deposit requirement of aftercare services consistent with the revenue deposit requirement of other components of Youth Aids. In practice, the state has deposited aftercare revenue in accordance with s. 20.410(3)(hm) because aftercare service spending was paid from this account. At all levels of review, it was interpreted that the legislative intent was to have revenue earned from services funded under s. 20.410(3)(hm) credited to that account. This inconsistency resulted from an oversight during the early 1980s not to amend s. 301.26(4)(g) on aftercare revenue when the other statutory references on Youth Aids were changed to reflect statewide implementation of Youth Aids with program revenue appropriations.

Contact Person:

Robert Margolies (608) 266-2931
Anne Mikkelson (608) 266-9583

301.26 (4)(g) x=0

20.410 (3)(hm)

Date Prepared:

September 15, 1998



Draft

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SOON

- 1) AN ACT ^{Don't Gen. Cat.} relating to: ~~the crediting of aftercare services revenues~~
- 2) ~~received by the department of corrections;~~

Current

the budget

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law relating to community youth and family aids (generally referred to as "youth aids"), various state and federal funds are allocated to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. The department of corrections (DOC) charges counties (bills them or deducts from their allocations) for the costs of services provided by DOC. ~~Current~~ law requires DOC to deposit in the general fund moneys received for juvenile aftercare services provided by DOC. This bill requires DOC to credit those moneys to DOC's appropriation account for juvenile correctional services.

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

- 3 SECTION 1. 20.410 (3) (hm) of the statutes is amended to read:
- 4 20.410 (3) (hm) *Juvenile correctional services.* Except as provided in pars. (ho)
- 5 and (hr), the amounts in the schedule for juvenile correctional services specified in

1 s. 301.26 (4) (c) and (d) and to operate the correctional institution authorized under
2 1997 Wisconsin Act 4, section 4 (1) (a). All moneys received from the sale of surplus
3 property, including vehicles, from juvenile correctional institutions operated by the
4 department, all moneys received as payments in restitution of property damaged at
5 juvenile correctional institutions operated by the department, all moneys received
6 from miscellaneous services provided at a juvenile correctional institution operated
7 by the department, all moneys transferred under s. 301.26 (4) (cm), all moneys
8 received under 1997 Wisconsin Act 27, section 9111 (2u) and, except as provided in
9 par. (hr), all moneys received in payment for juvenile correctional services specified
10 in s. 301.26 (4) (d) ~~and~~, (dt) and (g) shall be credited to this appropriation account.
11 If moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year
12 institutional costs, other than the cost of operating the correctional institution
13 authorized under 1997 Wisconsin Act 4, section 4 (1) (a), by 2% or more, all moneys
14 in excess of that 2% shall be remitted to the counties during the subsequent calendar
15 year or transferred to the appropriation account under par. (kx) during the
16 subsequent fiscal year. Each county and the department shall receive a
17 proportionate share of the remittance and transfer depending on the total number
18 of days of placement at juvenile correctional institutions including the Mendota
19 Juvenile Treatment Center. Counties shall use the funds for purposes specified in
20 s. 301.26. The department shall deposit in the general fund the amounts transferred
21 under this paragraph to the appropriation account under par. (kx).

22 **SECTION 2.** 301.26 (4) (f) of the statutes is amended to read: ¹

23 301.26 (4) (f) For services under s. 51.35 (3), payments made under par. (d) for
24 services to juveniles who are ineligible for medical assistance under subch. IV of ch.
25 49 and uniform fee collections under s. 46.03 (18) shall be ~~deposited in~~ credited to the

1 appropriation account under s. 20.435 (2) (gk) and all other payments made under
2 this subsection shall be deposited in the general fund and treated as a
3 nonappropriated receipt.

4 **SECTION 3.** 301.26 (4) (g) of the statutes is amended to read:

5 301.26 (4) (g) For juvenile field and institutional aftercare services under ch.
6 938 and for the office of juvenile offender review, all payments and deductions made
7 under this subsection and uniform fee collections under s. 301.03 (18) shall be
8 ~~deposited in the general fund and shall be treated as a nonappropriated~~
9 ~~receipt~~ credited to the appropriation account under s. 20.410 (3) (hm).

10

(END)

D-Note

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

LRB-0280/P1dn

GMM.....

King

Note that this draft also amends s. 301.26 (4) (f) to substitute "credited to" for "deposited in". Also note that s. 301.26 (4) (f) also requires certain moneys to be deposited in the general fund. Do you want to amend s. 301.26 (4) (f) as well to delete the directive that certain moneys be deposited in the general fund?

Gordon M. Malaise
Senior Legislative Attorney
266-9738

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

LRB-0280/P1dn
GMM:kmg:km

October 5, 1998

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Senior Legislative Attorney
266-9738



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0280/EA
GMM:kmg:km

Draft

soon

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

DOA -

1

Don't Gen. Cat.
AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law relating to community youth and family aids (generally referred to as "youth aids"), various state and federal funds are allocated to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. The department of corrections (DOC) charges counties (bills them or deducts from their allocations) for the costs of services provided by DOC. Current law requires DOC to deposit in the general fund moneys received for juvenile aftercare services provided by DOC. This bill requires DOC to credit those moneys to DOC's appropriation account for juvenile correctional services.

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2 1997 Wisconsin Act 4, section 4 (1) (a). All moneys received from the sale of surplus
3 property, including vehicles, from juvenile correctional institutions operated by the
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10

(END)

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LRB-0280/1dn
GMM:kmg:km

October 5, 1998

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LRB-0280/1dn
GMM:kmg:lp

October 7, 1998

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0280/1
GMM:kmg:lp

2
RMR

DOA:.....Coomber – Depositing of aftercare services revenues

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT <sup>Don't
in Conf</sup> relating to: the budget.

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(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0280/2
GMM:kmg:km

DOA:.....Coomber – Depositing of aftercare services revenues

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3 (END)