

1999 DRAFTING REQUEST

Bill

Received: **12/14/98**

Received By: **olsenje**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Statz**

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

Drafter: **olsenje**

May Contact:

Alt. Drafters:

Subject: **Criminal Law - district attys**

Extra Copies:

Topic:

DOA:.....Statz - Drug prosecutions in Milwaukee and Dane counties

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>
/1	olsenje 12/21/98	ygeller 12/21/98	martykr 12/22/98	_____	lrb_docadmin 12/22/98		S&L

FE Sent For:

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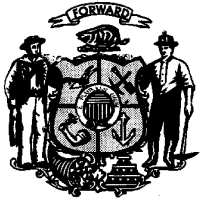
See Attached

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1/7	olsenje	11/12/21 JLG	Jm/22	OS 12/22	Jm 22		

FE Sent For:

<END>



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR
MARK D. BUGHER
SECRETARY

Mailing Address:
Post Office Box 7864
Madison, WI 53707-7864



1267

Date: December 9, 1998

To: Steve Miller
Legislative Reference Bureau

From: Andrew J. Statz *AS*
DOA - State Budget Office

Subject: Adjust amounts defined by non-statutory language for salaries and benefits of ADAs in Milwaukee and Dane counties

Sections 9101(3) and (4) of non-statutory language must be updated to reflect full-funding of salaries and benefits for drug prosecutors in Milwaukee and Dane counties.

The sections should read:

- (3) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY...the department shall expend \$263,000 in fiscal year 1999-2000 and \$271,300 in fiscal year 2000-01....
- (4) PROSECUTION OF DRUG CRIMES; DANE COUNTY...the department shall expend \$83,600 in fiscal year 1999-2000 and \$87,800 in fiscal year 2000-01....

Attached is a copy of the non-statutory sections. Let me know if you have any questions. Thanks.

attachments

1999-01
Total:
\$705,700

income maintenance payments under section 49.33 of the statutes to those relatives by July 1, 1997 December 31, 1997, or if a county department under section 46.215 of the statutes is unable to complete all of those assessments and background investigations and to end all of those payments by December 31, 1997, the county department shall notify the department of health and family services of that inability and that department shall assist the county department in completing all of those assessments and background investigations and shall require the county department to end those payments by December 31, 1997.

SECTION 5508. 1995 Wisconsin Act 351, section 41 (1) is amended to read:

[1995 Wisconsin Act 351] Section 41 (1) RECONCILIATION. ~~Cellular mobile radio telecommunications utilities~~ Persons that provide commercial mobile service and telephone companies that provide basic local exchange service shall reconcile their first payments under subchapter V of chapter 76 of the statutes, as created by this act, to reflect their overpayment or under payment of their final instalment of gross receipts taxes. All other telephone companies shall reconcile their first payments under subchapter IV of chapter 76 of the statutes, as created by this act, to reflect their overpayment or underpayment of their final instalment of gross receipts taxes.

SECTION 5508td. 1995 Wisconsin Act 445, section 8 is repealed.

SECTION 5508tg. 1995 Wisconsin Act 445, section 10 is repealed.

SECTION 5509m. 1995 Wisconsin Act 445, section 14 is repealed.

SECTION 5510d. 1995 Wisconsin Act 445, section 23 (1) is amended to read:

[1995 Wisconsin Act 445] Section 23 (1) The repeal of sections 14.26 (4m) and 20.395 (5) (qr) of the statutes and the amendment of sections 341.14 (6r) ~~(bm)~~ ~~1~~ ~~(by SECTION 14)~~, (c) (by SECTION 16) and (e) (by SECTION 18) and 341.16 (1) (b) (by SECTION 22) of the statutes take effect on January 1, 1999.

SECTION 5510em. 1995 Wisconsin Act 445, section 23 (2) is amended to read:

[1995 Wisconsin Act 445] Section 23 (2) The repeal of sections 13.101 (3m), 20.525 (1) (k) ~~and (qr)~~, 20.865 (4) (c), ~~25.40 (2) (b) 20p~~, and 341.14 (6r) (bg) and (f) 52. of the statutes takes effect on July 1, 1999.

SECTION 5510j. 1995 Wisconsin Act 453, section 5g is repealed.

SECTION 5510n. 1995 Wisconsin Act 453, section 12 (1) (b) is repealed.

SECTION 5510s. 1997 Wisconsin Act 4, section 4 (1) (a) is amended to read:

[1997 Wisconsin Act 4] Section 4 (1) (a) Notwithstanding 1995 Wisconsin Act 27, section 9126 (23) and (26v), the department of corrections may, from July 1, 1997, until July 1, 1998 1999, operate the juvenile se-

cured correctional facility authorized under 1995 Wisconsin Act 27, section 9126 (26v), as a state prison named in section 302.01 of the statutes, as affected by this act, for the placement of prisoners, as defined in section 301.01 (2) of the statutes, who are young adults not more than 21 years of age and who are not violent offenders, as determined by the department of corrections.

SECTION 9101. Nonstatutory provisions; administration.

(1) TRANSFER OF LAND INFORMATION FUNCTIONS.

(a) *Employe transfers.* All incumbent employes holding positions with the land information board are transferred on the effective date of this paragraph to the department of administration.

(b) *Employe status.* Employes transferred under paragraph (a) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed with the land information board immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

(1c) SUPPLEMENTAL TITLE FEE MATCHING. Notwithstanding section 20.855 (4) (f) of the statutes, as created by this act, the transfer of funds from the general fund to the environmental fund in an amount equal to the amount of supplemental title fees collected under section 342.14 (3m) of the statutes, as affected by this act, for 1997 shall be made no later than October 15, 1997, or the 15th day after the date on which certification is made under SECTION 9149 (1c) of this act, whichever is later.

(2) WISCONSIN LAND COUNCIL. Notwithstanding the length of term specified in section 15.107 (16) (d) of the statutes, as created by this act, the initial terms of 3 of the members appointed under section 15.107 (16) (b) 8. to 13. of the statutes, as created by this act, shall expire on July 1, 2000, the initial terms of 3 other members so appointed shall expire on July 1, 2001, and the initial terms of 3 other members so appointed shall expire on July 1, 2002.

(3) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (g) of the statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes, the department shall expend \$253,200 in fiscal year 1997-98 and \$256,500 in fiscal year 1998-99 to provide the multi-jurisdictional enforcement group serving Milwaukee County with funding for 3 assistant district attorneys to prosecute criminal violations of chapter 961 of the statutes, as affected by this act. The funding is not subject to the grant procedure under section 16.964 (2m) of the statutes.

(4) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal and program revenue moneys appropriated

(2m) was repealed

1997 Assembly Bill 100

to the department of administration for the office of justice assistance under section 20.505 (6) (g) of the statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes, the department shall expend \$81,600 in fiscal year 1997-98 and \$84,900 in fiscal year 1998-99 to provide the multi-jurisdictional enforcement group serving Dane County with funding for one assistant district attorney to prosecute criminal violations of chapter 961 of the statutes as affected by this act. The funding is not subject to the grant procedure under section 16.964 (2m) of the statutes.

Vetoed In Part ~~1. (4) TRANSFER OF SENTENCE COMMISSION RECORDS. The department of administration shall transfer records of the department of corrections, the department of state courts, and the department of corrections, or the chief clerk of the supreme court, to the~~

(6) DISTRICT ATTORNEYS FOR PROSECUTION OF SEXUALLY VIOLENT PERSONS COMMITMENT CASES. Of the authorized FTE positions for the department of administration for assistant district attorneys under sections 978.03 and 978.04 of the statutes, 2.0 GPR project positions shall be used for the period ending on June 30, 1999, to provide one assistant district attorney for Brown County and one assistant district attorney for Milwaukee County, to file and prosecute proceedings under chapter 980 of the statutes, as affected by this act, in any prosecutorial unit, as defined in section 978.001 (2) of the statutes, in this state.

(7) INFORMATION CONCERNING SEXUALLY VIOLENT PERSON COMMITMENT CASES.

(a) In any case in which the district attorney files a sexually violent person petition under section 980.02 (1) (b) of the statutes, as affected by this act, on or after the effective date of this paragraph but before July 1, 1999, the district attorney shall maintain a record of the amount of time spent by the district attorney and by any deputy district attorneys or assistant district attorneys doing all of the following:

1. Prosecuting the petition through trial under section 980.05 of the statutes and, if applicable, commitment of the person subject to the petition under section 980.06 of the statutes, as affected by this act.

2. If applicable, representing the state on petitions for supervised release under section 980.08 of the statutes, as affected by this act, or for discharge under section 980.09 or 980.10 of the statutes brought by the person who is the subject of the petition.

(b) Annually, on a date specified by the department of administration, the district attorney shall submit to the department of administration a report summarizing the records under paragraph (a) covering the preceding 12-month period. The department of administration shall maintain the information submitted under this paragraph by district attorneys.

(9) INITIAL APPOINTMENTS TO TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT IN WISCONSIN BOARD. Notwithstanding section 15.105 (25) (intro.) of the statutes,

one of the initial members of the technology for educational achievement in Wisconsin board appointed under section 15.105 (25) of the statutes, as created by this act, shall serve a term expiring on May 1, 1999, and one of the initial members of the technology for educational achievement in Wisconsin board appointed under section 15.105 (25) of the statutes, as created by this act, shall serve a term expiring on May 1, 2003.

(9m) RULES RELATING TO EDUCATIONAL TECHNOLOGY TRAINING GRANTS.

(a) Subject to paragraph (b), the technology for educational achievement in Wisconsin board shall promulgate the rules required under section 44.72 (4) of the statutes, as created by this act, for a period that exceeds the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the board need not provide evidence of the necessity of preserving the peace, health, safety or welfare in promulgating the rules under this paragraph.

(b) The board shall submit the proposed rules under paragraph (a) to the cochairpersons of the joint committee on information policy. If the cochairpersons of the committee do not notify the board that the committee has scheduled a meeting for the purpose of reviewing the proposed rules within 14 working days after the date of the board's submittal, the board may proceed to promulgate the rules. If, within 14 working days after the date of the board's submittal, the cochairpersons of the committee notify the board that the committee has scheduled a meeting for the purpose of reviewing the proposed rules, the board shall not promulgate the rules until that meeting has been held.

INFRASTRUCTURE GRANTS

(a) Subject to paragraph (b), the technology for educational achievement in Wisconsin board shall promulgate the rules required under section 44.72 (4) of the statutes, as created by this act, for the period that permanent rules take effect, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the board need not provide evidence of the necessity of preserving the public peace, health, safety or welfare in promulgating the rules under this paragraph.

(b) The board shall submit the proposed rules under paragraph (a) to the cochairpersons of the joint com-

Vetoed In Part



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1267/1

JEO:.....

Soon
into admin
12/24

19

DOA:.....Statz - Drug prosecutions in Milwaukee and Dane counties
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

do not generate catalog

1

AN ACT...; relating to: allocating funding to prosecute drug crimes. ✓

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT ✓

DISTRICT ATTORNEYS ✓

Currently, the department of administration (DOA) ✓ receives various appropriations for the office of justice assistance (OJA) ✓. This bill requires DOA to pay \$705,700 from federal and program revenue moneys for OJA in the 1999-~~00~~ 2001 biennium to fund four assistant district attorneys to prosecute drug crimes in Dane and Milwaukee counties.

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:

2

SECTION 9101. ✓ Nonstatutory provisions; administration.

3

(1) PROSECUTION OF DRUG CRIMES; DANE ✓ COUNTY. From federal and program

4

revenue moneys appropriated to the department of administration ✓ for the office of

1 justice assistance under section 20.505 (6) (g) and (pb) of the statutes, the
2 department shall expend \$83,600 in fiscal year 1999-2000 and \$87,800 in fiscal year
3 2000-01 to provide the multi-jurisdictional enforcement group serving Dane County
4 with funding for one assistant district attorney to prosecute criminal violations of
5 chapter 961 of the statutes.

6 (2) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From federal and
7 program revenue moneys appropriated to the department of administration for the
8 office of justice assistance under section 20.505 (6) (g) and (pb) of the statutes, the
9 department shall expend \$263,000 in fiscal year 1999-2000 and \$271,300 in fiscal
10 year 2000-01 to provide the multi-jurisdictional enforcement group serving
11 Milwaukee County with funding for 3 assistant district attorneys to prosecute
12 criminal violations of chapter 961 of the statutes.

13 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1267/1
JEO:jlg:km

DOA:.....Statz - Drug prosecutions in Milwaukee and Dane counties

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13

(END)