

1999 DRAFTING REQUEST

Bill

Received: **12/21/98**

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 - victims**

Extra Copies:

Topic:

DOA:.....Statz - Reimbursement to counties for crime-victim services

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 12/23/98	ygeller 12/23/98	hhagen 12/28/98	_____	lrb_docadmin 12/28/98		S&L
/2	olsenje 02/2/99	ygeller 02/2/99	jfrantze 02/2/99	_____	lrb_docadmin 02/2/99		S&L

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: 12/21/98

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 - victims**

Extra Copies:

Topic:

DOA:.....Statz - Reimbursement to counties for crime-victim services

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 12/23/98	jgeller 12/23/98	hhagen 12/28/98	_____	lrb_docadmin 12/28/98		S&L

FE Sent For:

12 2/2 JG
 12/28/98
 JG/PLP
 12/28/98
 <END>

1999 DRAFTING REQUEST

Bill

Received: **12/21/98**

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 - victims**

Extra Copies:

Topic:

DOA:.....Statz - Reimbursement to counties for crime-victim services

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	1 12/23 jlg	12/28	12/28			

FE Sent For:

<END>

CORRESPONDENCE MEMORANDUM

**STATE OF WISCONSIN
Department of Administration**

1410

Date: December 18, 1998

To: Steve Miller
Legislative Reference Bureau

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

Subject: Broaden the funding sources that may be used to reimburse counties for victim-witness services

Under s. 950.06, the state may reimburse counties for up to 90 percent of their costs incurred by providing victim and witness services.

Currently, s. 950.06(2) allows the state to draw upon ss. 20.455(5)(kk), (c), and (g) to provide reimbursement to counties. Section 950.06(2) should be broadened to include Sexual Assault Victims Services reimbursements under s. 20.455(5)(f) *(g)* and federal Victims of Crime Act (VOCA) reimbursements to counties under s. 20.455(5)(mh). It should also include moneys received from OJA for the purpose in s. 20.455(5)(k).

We propose broadening the definition of s. 950.06(2) to allow DOJ to use revenues from ss. 20.455(5)(c), (g), (gc), (k), (kk), and (mh). This will provide greater flexibility in meeting the state's obligation to the counties.

Section 950.06(2) could be amended to read:

...The department shall reimburse counties under this subsection from the appropriation under s. 20.455 (5) (kk) and, on a semiannual basis, from the appropriations under s. 20.455 (5) (c) and (g). Appropriations under ss. 20.455(5)(gc) and (mh) and moneys from s. 20.455(5)(k) for the purpose of reimbursement may also be used to reimburse counties under this subsection.

Section 20.455(5)(mh) is already quite broad, but I believe that s. 20.455(5)(gc) should include reimbursement to counties under s. 950.06(2) in addition to s. 165.93. Section s. 20.455(5)(gc) could be amended to read:

Crime victim and witness surcharge, sexual assault victim services. All moneys received from part B of crime victim and witness assistance surcharges authorized under s. 973.045 (3) (a) 2. to provide grants for sexual assault victim services under s. 165.93 and to reimburse counties under s. 950.06(2).

provide *grant to*

Section 20.455(5)(k) could read:

to provide

Interagency and intra-agency assistance. The amounts in the schedule to provide services to state agencies and reimbursement to counties under s. 950.06(2) relating to victims and witnesses. All moneys received from the department or any other state agency for services relating to victims and witnesses shall be credited to this appropriation.

Section 20.455(5)(g) could read:

Crime victim and witness assistance surcharge, general services. The amounts in the schedule for purposes of ch. 950 and reimbursement to counties under s. 950.06(2)....

I have included a copy of s. 950.06(2) and DOJ's appropriations impacted by these changes. Let me know if you have any questions. Thanks.

attachments

*broad
enough*

See note to 973.013, citing *State v. Johnson*, 158 W (2d) 458, 463 NW (2d) 352 (Ct. App. 1990).

Requirement in (1) of notice to victim of defendant's release from custody applies to all felonies charged under ch. 948. Notice is to be given to victims of all crimes charged under ch. 940, whether misdemeanors or felonies. Notice requirements of statute apply to individual persons, not business enterprises or corporations. 79 Act, Gen. 1.

950.055 Child victims and witnesses; rights and services. (1) **LEGISLATIVE INTENT.** The legislature finds that it is necessary to provide child victims and witnesses with additional consideration and different treatment than that usually afforded to adults. The legislature intends, in this section, to provide these children with additional rights and protections during their involvement with the criminal justice or juvenile justice system. The legislature urges the news media to use restraint in revealing the identity of child victims or witnesses, especially in sensitive cases.

(2) **ADDITIONAL SERVICES.** In addition to all rights afforded to victims and witnesses under s. 950.04 and services provided under s. 950.06 (1m), counties are encouraged to provide the following additional services on behalf of children who are involved in criminal or delinquency proceedings as victims or witnesses:

(a) Explanations, in language understood by the child, of all legal proceedings in which the child will be involved.

(b) Advice to the judge, when appropriate and as a friend of the court, regarding the child's ability to understand proceedings and questions. The services may include providing assistance in determinations concerning the taking of videotaped depositions under s. 908.08 or 967.04 (7) and (8) and the duty to expedite proceedings under s. 971.105.

(c) Advice to the district attorney concerning the ability of a child witness to cooperate with the prosecution and the potential effects of the proceedings on the child.

(d) Information about and referrals to appropriate social services programs to assist the child and the child's family in coping with the emotional impact of the crime and the subsequent proceedings in which the child is involved.

(3) **PROGRAM RESPONSIBILITY.** In each county, the county board is responsible for the provision of services under this section. A county may seek reimbursement for services provided under this section as part of its program plan submitted to the department under s. 950.06. To the extent possible, counties shall utilize volunteers and existing public resources for the provision of these services.

History: 1983 a. 197; 1985 a. 262 s. 8; 1985 a. 311; 1997 a. 181.

950.06 Reimbursement for services. (1m) To be eligible for reimbursement under this section for the provision of services to victims and witnesses, a county shall provide all of the following services to victims and witnesses:

(a) Court appearance notification services, including cancellation of appearances.

(b) Victim compensation and social services referrals, including witness fee collection, case-by-case referrals and public information.

(c) Escort and other transportation services related to the investigation or prosecution of the case, if necessary or advisable.

(d) Case progress notification services which may be combined with services under par. (a).

(dm) Assistance in providing the court with information pertaining to the economic, physical and psychological effect of the crime upon the victim of a felony.

(e) Employer intercession services.

(f) Expedited return of property services.

(g) Protection services.

(h) Family support services, including child and other dependent care services.

(i) Waiting facilities.

(2) The costs of providing services under sub. (1m) shall be paid for by the county, but the county is eligible to receive reimbursement from the state for not more than 90% of the costs

incurred in providing those services. The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse counties under this subsection from the appropriation under s. 20.455 (5) (kk) and, on a semiannual basis, from the appropriations under s. 20.455 (5) (c) and (g).

(3) The county board shall provide for the implementation of the county's plan under sub. (4). Two or more counties may submit a joint plan under sub. (4).

(4) If the county seeks reimbursement under sub. (2), the county board shall submit a program plan to the department for its approval. The county is eligible for reimbursement under sub. (2) only if the department has approved the plan. The program plan shall describe the level of services to victims and witnesses that the county intends to provide; the personnel or agencies responsible for related administrative programs and individual services; proposed staffing for the program; proposed education, training and experience requirements for program staff and the staff of agencies providing related administrative programs and individual services; the county's budget for implementing the program and other information the department determines to be necessary for its review. The plan shall provide that the district attorney, local law enforcement agencies and the courts shall make available to the person or agency responsible for administering the program all reports or files, except reports or files which are required by statute to be kept confidential, if the reports or files are required by the person or agency to carry out program responsibilities. Each year, the county board shall submit a report to the department on the operation of the plan, including the provision of services under sub. (1m).

(5) The department shall review and approve the implementation and operation of programs and the annual reports under this section. The department may suspend or terminate reimbursement under s. 20.455 (5) (c) and (g) if the county fails to comply with its duties under this section. The department shall promulgate rules under ch. 227 for implementing and administering county programs approved under this section.

History: 1979 c. 219; 1981 c. 20; 1983 a. 27, 364; 1987 a. 244; 1991 a. 159; 1997 a. 181, 237.

950.07 Intergovernmental cooperation. The county board, district attorney, local law enforcement agencies, local social service agencies, victim and witness offices and courts shall all cooperate with each other to ensure that victims and witnesses of crimes receive the rights and services to which they are entitled under this chapter.

History: 1979 c. 219; 1995 a. 310.

950.08 Information and mediation services. (1) DUTIES OF DEPARTMENT: TOLL-FREE TELEPHONE NUMBER. The department shall maintain a toll-free telephone number to provide crime victims and witnesses with all of the following services:

(a) Information and referral to available services.

(b) Crisis counseling and emotional support.

(c) Assistance in securing resources and protection.

(2) **DUTIES OF DEPARTMENT: GENERAL INFORMATIONAL PROGRAM.** The department shall provide an informational program to inform crime victims, the general public, criminal justice officials and related professionals about crime victim rights and services.

(2g) **INFORMATION TO BE PROVIDED BY LAW ENFORCEMENT AGENCIES.** No later than 24 hours after a law enforcement agency has initial contact with a victim of a crime that the law enforcement agency is responsible for investigating, the law enforcement agency shall make a reasonable attempt to provide to the victim written information on all of the following:

(a) A list of the rights of victims under s. 950.04 (1v).

(b) The availability of compensation under ch. 949 and the address and telephone number at which to contact the department for information concerning compensation under ch. 949.

with the transaction information for management of enforcement system shall be credited to this appropriation.

(hm) *County-tribal programs, surcharge receipts.* The amounts in the schedule for the purposes of s. 165.90. All moneys received from the penalty assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1) (bp) shall be credited to this appropriation. These moneys may be transferred to pars. (hn) and (ho) by the secretary of administration for expenditures based upon determinations by the department of justice.

(hn) *County-tribal programs, local assistance.* The amounts in the schedule for distribution under s. 165.90. All moneys transferred from par. (hm) shall be credited to this appropriation.

(ho) *County-tribal programs, state operations.* The amounts in the schedule to finance state operations associated with county-tribal law enforcement programs under s. 165.90. All moneys transferred from par. (hm) shall be credited to this appropriation.

(i) *Penalty assessment surcharge, receipts.* The amounts in the schedule for the purposes of s. 165.85 (5) (b) and (5m) and for crime laboratory equipment. All moneys received from the penalty assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1) and all moneys transferred from s. 20.505 (6) (h) shall be credited to this appropriation. Moneys may be transferred from this paragraph to pars. (j) and (ja) by the secretary of administration for expenditures based upon determinations by the department of justice.

(j) *Law enforcement training fund, local assistance.* The amounts in the schedule to finance local law enforcement training as provided in s. 165.85 (5) (b) and (5m). All moneys transferred from par. (i) shall be credited to this appropriation.

(ja) *Law enforcement training fund, state operations.* The amounts in the schedule to finance state operations associated with the administration of the law enforcement training fund and to finance training for state law enforcement personnel, as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) shall be credited to this appropriation.

(jb) *Crime laboratory equipment and supplies.* Biennially, the amounts in the schedule for the maintenance, repair, upgrading and replacement costs of the laboratory equipment, and for supplies used to maintain, repair, upgrade and replace that equipment, in the state and regional crime laboratories. All moneys transferred from par. (i) shall be credited to this appropriation.

(k) *Interagency and intra-agency assistance; investigations.* All moneys received from any state agency regarding anti-drug abuse law enforcement assistance and drug investigations and analysis to carry out the purposes for which received.

(kd) *Drug law enforcement and crime laboratories.* The amounts in the schedule for activities relating to drug law enforcement, drug law violation prosecution assistance and activities of the state and regional crime laboratories. All moneys transferred from the appropriation account under par. (Lm) shall be credited to this appropriation account.

(kg) *Interagency and intra-agency assistance; fingerprint identification.* The amounts in the schedule for the purchase of an automated fingerprint system. All moneys received from the department or any other state agency for the purchase of an automated fingerprint identification system shall be credited to this appropriation.

(Lm) *Crime laboratories; deoxyribonucleic acid analysis.* All moneys received from crime laboratories and drug law enforcement assessments authorized under s. 165.755 and deoxyribonucleic acid analysis surcharges authorized under s. 973.046 to provide deoxyribonucleic acid analysis, to administer s. 165.77, to pay for the costs of mailing and materials under s. 165.76 for the submission of biological specimens by the departments of corrections and health and family services and by county sheriffs and to transfer to the appropriation account under par. (kd) the amounts in the schedule under par. (kd).

(m) *Federal aid, state operations.* All moneys received as federal aid, as authorized by the governor under s. 16.54, for state operations.

(ma) *Federal aid, drug enforcement.* All moneys received from the federal government under subtitle K of title I of P.L. 99-570 for state programs, except as provided under s. 20.505 (6) (pc), as authorized by the governor under s. 16.54, for drug law enforcement programs to work with local law enforcement agencies in a coordinated effort and for operating costs of the crime laboratory in the city of Wausau.

(n) *Federal aid, local assistance.* All moneys received as federal aid, as authorized by the governor under s. 16.54, for local assistance.

(r) *Gaming law enforcement; lottery revenues.* From the lottery fund, the amounts in the schedule for the performance of the department's gaming law enforcement responsibilities as specified in s. 165.70 (3m).

(3) ADMINISTRATIVE SERVICES. (a) *General program operations.* The amounts in the schedule for the general administration of the department of justice.

(g) *Gifts, grants and proceeds.* All moneys received from gifts and grants and all proceeds from services, conferences and sales of publications and promotional materials to carry out the purposes for which made or collected, except as provided in sub. (2) (gm).

(k) *Interagency and intra-agency assistance.* The amounts in the schedule to provide administrative services to state agencies. All moneys received from the department or any other state agency for administrative services shall be credited to this appropriation.

(ka) *Information technology development projects.* The amounts in the schedule for the purpose of conducting information technology development projects approved under s. 16.971 (5). All moneys transferred from the appropriation account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation account.

(m) *Federal aid, state operations.* All moneys received as federal aid as authorized by the governor under s. 16.54, for state operations relating to administrative services.

(pz) *Indirect cost reimbursements.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

(5) VICTIMS AND WITNESSES. (a) *General program operations.* The amounts in the schedule for general program operations under chs. 949 and 950.

(b) *Awards for victims of crimes.* The amounts in the schedule for the payment of compensation and funeral and burial expenses awards to the victims of crimes under ch. 949.

(c) *Reimbursement for victim and witness services.* The amounts in the schedule to provide reimbursement to counties under s. 950.06 (2).

(g) *Crime victim and witness assistance surcharge, general services.* The amounts in the schedule for purposes of ch. 950. All moneys received from part A of crime victim and witness assistance surcharges authorized under s. 973.045 (3) (a) 1. and from delinquency victim and witness assistance surcharges authorized under s. 938.34 (8d) (a) shall be credited to this appropriation account. The department of justice shall transfer from this appropriation account to the appropriation account under par. (kj) the amounts in the schedule under par. (kj).

(gc) *Crime victim and witness surcharge, sexual assault victim services.* All moneys received from part B of crime victim and witness assistance surcharges authorized under s. 973.045 (3) (a) 2. to provide grants for sexual assault victim services under s. 165.93.

(h) *Crime victim compensation services.* The amounts in the schedule to provide crime victim compensation services. All

moneys transferred from s. 20.435 (6) (hx) shall be credited to this appropriation, except that the unencumbered balance on June 30 of each year shall revert to the appropriation under s. 20.435 (6) (hx).

(i) *Victim compensation, inmate payments.* All moneys received under s. 303.06 (2) and (3) for the administration of ch. 949 and for crime victim compensation payments or services.

(k) *Interagency and intra-agency assistance.* The amounts in the schedule to provide services to state agencies relating to victims and witnesses. All moneys received from the department or any other state agency for services relating to victims and witnesses shall be credited to this appropriation.

(kj) *Victim payments, victim surcharge.* The amounts in the schedule for the payment of compensation and funeral and burial expenses awards to the victims of crimes under ch. 949. All moneys transferred from the appropriation account under par. (g) shall be credited to this appropriation account. If the department of justice determines that the total of the amounts in this appropriation account and the amounts for compensation and awards to victims of crime under ch. 949 in the appropriation accounts under pars. (b), (h), (i) and (m) exceeds the amount needed to fully fund compensation and awards to victims of crimes under ch. 949, the department of justice may transfer moneys from this appropriation account to the appropriation account under par. (kk). The amount transferred to the appropriation account under par. (kk) may not exceed the amount by which the total amounts appropriated under this paragraph and pars. (b), (h), (i) and (m) for compensation and awards to victims of crimes under ch. 949 exceed the amount needed to fully fund compensation and awards to victims of crimes under ch. 949.

(kk) *Reimbursement to counties for providing victim and witness services.* All moneys transferred from the appropriation account under par. (kj) for the purpose of reimbursing counties under s. 950.06 for costs incurred in providing services to victims and witnesses.

(m) *Federal aid; victim compensation.* All moneys received from the federal government for crime victim compensation, as authorized by the governor under s. 16.54, to carry out the purposes for which made and received.

(mh) *Federal aid; victim assistance.* All moneys received from the federal government for crime victim assistance, as authorized by the governor under s. 16.54, to carry out the purposes for which made and received.

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237.

20.465 Military affairs, department of. There is appropriated to the department of military affairs for the following programs:

(1) NATIONAL GUARD OPERATIONS (a) *General program operations.* The amounts in the schedule for general program operations.

(b) *Repair and maintenance.* The amounts in the schedule for the improvement, repair and maintenance costs of military lands or buildings under the control of the department.

(c) *Public emergencies.* A sum sufficient to defray all expenditures of the Wisconsin national guard or the Wisconsin state defense force when either is called into state service to meet situations arising from war, riot, natural disaster or great public emergency and in preparation for an anticipated call into state service for these emergencies.

(d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of armories and other military facilities.

(e) *State service flags.* The amounts in the schedule for the purchase of state service flags pursuant to s. 21.19 (10).

(f) *Energy costs.* The amounts in the schedule to be used at military buildings under control of the department to pay for utilities and for fuel, heat and air conditioning, to pay costs incurred by or on behalf of the department under ss. 16.858 and 16.895, and to repay to the energy efficiency fund loans made to the department under s. 16.847 (6).

(g) *Military property.* The amounts in the schedule for rent of state-owned military lands or buildings used by, acquired for or erected for the Wisconsin national guard under s. 21.19 (2), for rental of buildings and grounds maintenance equipment owned by the state and required to properly maintain properties supported by state-federal cooperative funding agreements, for the repair and maintenance of state-owned military lands or buildings, for the payment of municipal assessments related to state-owned military property and for the purchase and construction of new military property, real and personal. All moneys received on account of lost military property, from the sale of obsolete or unserviceable military property, from the sale of any state-owned military property, real and personal, under s. 21.19 (3), from the rental of state-owned housing, or from the provision of housing-related services to military personnel shall be credited to this appropriation.

(h) *Intergovernmental services.* The amounts in the schedule to provide services to local units of government for fire, crash and rescue emergencies. All moneys received from local units of government for services provided for fire, crash and rescue emergencies shall be credited to this appropriation.

(k) *Armory store operations.* The amounts in the schedule for the operation of an armory store at Camp Williams. All moneys received from purchases from the armory store by state agencies, state-owned or state-controlled armories and other state-owned military installations shall be credited to this appropriation.

(km) *Agency services.* The amounts in the schedule to render services to other state agencies and perform other general program operations. All moneys received from other state agencies for services rendered shall be credited to this appropriation.

(kn) *Information technology development projects; national guard.* The amounts in the schedule for the purpose of conducting information technology development projects approved under s. 16.971 (5) for national guard operations. All moneys transferred from the appropriation account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation account.

(Li) *Gifts and grants.* All moneys received from gifts, grants and bequests to carry out the purposes for which made.

(m) *Federal aid.* All moneys received from the United States pursuant to any act of congress or pursuant to federal authority for the improvement, repair, maintenance or operation of state-owned or state-controlled armories or other military property.

(pz) *Indirect cost reimbursements.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

(2) GUARD MEMBERS' BENEFITS. (a) *Tuition grants.* The amounts in the schedule for the payment of tuition grants to members of the Wisconsin national guard under s. 21.49 (3).

(3) EMERGENCY MANAGEMENT SERVICES. (a) *General program operations.* The amounts in the schedule for the general program operations of the division of emergency management including, but not limited to, central administrative support services by the department.

(c) *Helicopter support services.* The amounts in the schedule for the provision of aid to the sheriff under s. 166.03 (2) (b) 9.

(dd) *Regional emergency response teams.* The amounts in the schedule for payments to regional emergency response teams under s. 166.215 (1).

(dh) *Hazardous substance emergency response; administration.* The amounts in the schedule for hazardous substance emergency response activities under s. 166.215.

(dp) *Emergency response equipment.* The amounts in the schedule for grants for the costs of computers and emergency response equipment under s. 166.21 (2) (br).



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1410/1

JEO:.....

Seen

1
jlg

DOA:.....Statz - Reimbursement to counties for crime-victim services

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT ✓

OTHER STATE GOVERNMENT ✓

Under current law, a county is eligible for reimbursement from the state for the cost of providing services to victims and witnesses of crimes if the county provides certain specified services (such as notice of court appearances, notice of progress of a case, waiting areas and family support services) and if the department of justice (DOJ) has approved the county's plan for providing the services. A county may be reimbursed for not more than 90% of the costs that it incurs in providing the services. DOJ pays for the reimbursement to counties using general purpose revenue and a portion of the proceeds from the crime victim and witness assessments that are imposed on persons convicted of a crime.

This bill provides additional revenue sources for DOJ to use to reimburse counties for crime victim and witness services. Specifically, under the bill DOJ may also use any of the following revenue sources to reimburse counties: 1) an additional portion of proceeds from the crime victim and witness assessments; 2) moneys provided by the federal government for crime victim assistance; and 3) moneys DOJ receives from any state agency for providing services related to victims and witnesses.

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.** 20.455 (5) (gc)^X of the statutes is amended to read:
 2 20.455 (5) (gc) *Crime victim and witness surcharge; sexual assault victim*
 3 *services and reimbursement to counties*. All moneys received from part B of crime
 4 victim and witness assistance surcharges authorized under s. 973.045 (3) (a) 2. to
 5 provide grants for sexual assault victim services under s. 165.93 and to provide
 6 reimbursement to counties under s. 950.06 (2).

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 2.** 20.455 (5) (k)^X of the statutes is amended to read:
 8 20.455 (5) (k) *Interagency and intra-agency assistance; reimbursement to*
 9 *counties*. The amounts in the schedule to provide services to state agencies relating
 10 to victims and witnesses and to provide reimbursement to counties under s. 950.06
 11 (2). All moneys received from the department or any other state agency for services
 12 relating to victims and witnesses shall be credited to this appropriation.

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 3.** 20.455 (5) (kk)^X of the statutes is amended to read:
 14 20.455 (5) (kk) *Reimbursement to counties for providing victim and witness*
 15 *services*. All moneys transferred from the appropriation account under par. (kj) for

1 the purpose of reimbursing counties under s. 950.06 (2)✓ for costs incurred in
2 providing services to victims and witnesses.

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237.

3 **SECTION 4.** 950.06 (2)✓ of the statutes is amended to read:

4 950.06 (2) The costs of providing services under sub. (1m) shall be paid for by
5 the county, but the county is eligible to receive reimbursement from the state for not
6 more than 90% of the costs incurred in providing those services. The department
7 shall determine the level of services for which a county may be reimbursed. The
8 county board shall file a claim for reimbursement with the department. The
9 department shall reimburse counties under this subsection from the appropriation
10 under s. 20.455 (5) (gc)✓, (k)✓, (kk)✓ and (mh) and, on a semiannual basis, from the
11 appropriations under s. 20.455 (5) (c) and (g).

History: 1979 c. 219; 1981 c. 20; 1983 a. 27, 364; 1987 a. 244; 1991 a. 159; 1997 a. 181, 237.

12 **SECTION 5.** 950.06 (5)✓ of the statutes is amended to read:

13 950.06 (5) The department shall review and approve the implementation and
14 operation of programs and the annual reports under this section. The department
15 may suspend or terminate reimbursement under s. 20.455 (5) (c) and (g)✓ sub. (2) if
16 the county fails to comply with its duties under this section. The department shall
17 promulgate rules under ch. 227 for implementing and administering county
18 programs approved under this section.

History: 1979 c. 219; 1981 c. 20; 1983 a. 27, 364; 1987 a. 244; 1991 a. 159; 1997 a. 181, 237.

19 (END)✓



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1410/1

JEO;jlg:hmh

D-Note

redraft
mahar
run

2

DOA:.....Statz - Reimbursement to counties for crime-victim services

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, a county is eligible for reimbursement from the state for the cost of providing services to victims and witnesses of crimes if the county provides certain specified services (such as notice of court appearances, notice of progress of a case, waiting areas and family support services) and if the department of justice (DOJ) has approved the county's plan for providing the services. A county may be reimbursed for not more than 90% of the costs that it incurs in providing the services. DOJ pays for the reimbursement to counties using general purpose revenue and a portion of the proceeds from the crime victim and witness assessments that are imposed on persons convicted of a crime.

This bill provides additional revenue sources for DOJ to use to reimburse counties for crime victim and witness services. Specifically, under the bill DOJ may also use any of the following revenue sources to reimburse counties: 1) an additional portion of proceeds from the crime victim and witness assessments; 2) moneys provided by the federal government for crime victim assistance; and 3) moneys DOJ receives from any state agency for providing services related to victims and witnesses.

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.** 20.455 (5) (gc) of the statutes is amended to read:

2 20.455 (5) (gc) *Crime victim and witness surcharge; sexual assault victim*
3 *services and reimbursement to counties.* All moneys received from part B of crime
4 victim and witness assistance surcharges authorized under s. 973.045 (3) (a) 2. to
5 provide grants for sexual assault victim services under s. 165.93 and to provide
6 reimbursement to counties under s. 950.06 (2).

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 2.** 20.455 (5) (k) of the statutes is amended to read:

8 20.455 (5) (k) *Interagency and intra-agency assistance; reimbursement to*
9 *counties.* The amounts in the schedule to provide services to state agencies relating
10 to victims and witnesses and to provide reimbursement to counties under s. 950.06
11 (2). All moneys received from the department or any other state agency for services
12 relating to victims and witnesses shall be credited to this appropriation.

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 3.** 20.455 (5) (kk) of the statutes is amended to read:

14 20.455 (5) (kk) *Reimbursement to counties for providing victim and witness*
15 *services.* All moneys transferred from the appropriation account under par. (kj) for
16 the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in
17 providing services to victims and witnesses.

18 **SECTION 4.** 950.06 (2) of the statutes is amended to read:

1 950.06 (2) The costs of providing services under sub. (1m) shall be paid for by
 2 the county, but the county is eligible to receive reimbursement from the state for not
 3 more than 90% of the costs incurred in providing those services. The department
 4 shall determine the level of services for which a county may be reimbursed. The
 5 county board shall file a claim for reimbursement with the department. The
 6 department shall reimburse counties under this subsection from the appropriation
 7 under s. 20.455 (5) (gc), (k), (kk) ^(kp) and (mh) and, on a semiannual basis, from the
 8 appropriations under s. 20.455 (5) (c) and (g).

9 **SECTION 5.** 950.06 (5) of the statutes is amended to read:
 10 950.06 (5) The department shall review and approve the implementation and
 11 operation of programs and the annual reports under this section. The department
 12 may suspend or terminate reimbursement under ~~s. 20.455 (5) (c) and (g)~~ sub. (2) if
 13 the county fails to comply with its duties under this section. The department shall
 14 promulgate rules under ch. 227 for implementing and administering county
 15 programs approved under this section.

(END)

CS ~~SECTION~~ ******** NOTE: This is reconciled s. [✓]950.06 (2). This SECTION has been affected by drafts with the following LRB numbers: 1265/5 and 1410/1.

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

LRB-1410/2dn

JEO:.....

JG

This draft reconciles LRB-1265/5 and LRB-1410/1. All of these drafts should continue to appear in the compiled bill.

Jefren E. Olsen
Legislative Attorney
Phone: (608) 266-8906
E-mail: Jefren.Olsen@legis.state.wi.us

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

LRB-1410/2dn
JEO:jlj:f

February 2, 1999

This draft reconciles LRB-1265/5 and LRB-1410/1. All of these drafts should continue to appear in the compiled bill.

Jefren E. Olsen
Legislative Attorney
Phone: (608) 266-8906
E-mail: Jefren.Olsen@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1410/2
JEO:jl:gjf

DOA:.....Statz - Reimbursement to counties for crime-victim services

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, a county is eligible for reimbursement from the state for the cost of providing services to victims and witnesses of crimes if the county provides certain specified services (such as notice of court appearances, notice of progress of a case, waiting areas and family support services) and if the department of justice (DOJ) has approved the county's plan for providing the services. A county may be reimbursed for not more than 90% of the costs that it incurs in providing the services. DOJ pays for the reimbursement to counties using general purpose revenue and a portion of the proceeds from the crime victim and witness assessments that are imposed on persons convicted of a crime.

This bill provides additional revenue sources for DOJ to use to reimburse counties for crime victim and witness services. Specifically, under the bill DOJ may also use any of the following revenue sources to reimburse counties: 1) an additional portion of proceeds from the crime victim and witness assessments; 2) moneys provided by the federal government for crime victim assistance; and 3) moneys DOJ receives from any state agency for providing services related to victims and witnesses.

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.** 20.455 (5) (gc) of the statutes is amended to read:

2 20.455 (5) (gc) *Crime victim and witness surcharge; sexual assault victim*
3 *services and reimbursement to counties.* All moneys received from part B of crime
4 victim and witness assistance surcharges authorized under s. 973.045 (3) (a) 2. to
5 provide grants for sexual assault victim services under s. 165.93 and to provide
6 reimbursement to counties under s. 950.06 (2).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 2.** 20.455 (5) (k) of the statutes is amended to read:

8 20.455 (5) (k) *Interagency and intra-agency assistance; reimbursement to*
9 *counties.* The amounts in the schedule to provide services to state agencies relating
10 to victims and witnesses and to provide reimbursement to counties under s. 950.06
11 (2). All moneys received from the department or any other state agency for services
12 relating to victims and witnesses shall be credited to this appropriation.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 3.** 20.455 (5) (kk) of the statutes is amended to read:

14 20.455 (5) (kk) *Reimbursement to counties for providing victim and witness*
15 *services.* All moneys transferred from the appropriation account under par. (kj) for
16 the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in
17 providing services to victims and witnesses.

18 **SECTION 4.** 950.06 (2) of the statutes is amended to read:

