

1999 DRAFTING REQUEST**Bill**Received: **01/4/99**Received By: **olsenje**Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 267-0370**By/Representing: **Statz**This file may be shown to any legislator: **NO**Drafter: **olsenje**

May Contact:

Alt. Drafters:

Subject: **Criminal Law - law enforcement**Extra Copies: **RAC**

Topic:

DOA:.....Statz - Funding for county-tribal law enforcement projects (Indian gaming initiative)

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 01/5/99	jgeller 01/7/99	ismith 01/7/99	_____	lrb_docadmin 01/7/99		S&L
/2	olsenje 01/18/99	jgeller 01/18/99	lpaasch 01/19/99	_____	gretskl 01/19/99		S&L
/3	olsenje 01/23/99	jgeller 01/23/99	hhagen 01/24/99	_____	lrb_docadmin 01/25/99		S&L
/4	olsenje 01/28/99	jgeller 01/28/99	ismith 01/29/99	_____	gretskl 01/29/99		S&L
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	02/3/99	02/3/99	02/3/99	_____	02/3/99		

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16 7/2 jg *is 2/3/99* *is/km 2/3/99*

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FE Sent For:

15 3/2 JLG

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24
1/29/99*

*IS/JF
2/3/99*

<END>

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FE Sent For:

14 1/28 jlg
IS 1/29/99
IS/LP 1/29/99
<END>

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FE Sent For:

13 1/23 jlg *01/24* *11/1/24*

<END>

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FE Sent For:

<END>

CORRESPONDENCE MEMORANDUM

STATE OF WISCONSIN
Department of Administration

1554

Date: December 30, 1998

To: Steve Miller
Legislative Reference Bureau

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

Subject: [Ⓟ] Covert funding for County-Tribal Law Enforcement from penalty assessment to Indian compact moneys

We need to create a new PR-S annual appropriation in DOJ to accept Indian compact moneys that will support County-Tribal Law Enforcement operations. The appropriation will receive \$708,400 PR-S in FY00 and FY01.

This drafting request is tied to the distribution of Indian compact money that Rick Champagne is working on.

Sections 20.455(2)(d), (hm), (hn), (ho) are GPR and PR-O appropriations that currently support these operations. These appropriations were repealed in LRB draft #1265/1 *Distribution of funds collected from the penalty assessment*. This new Indian compact appropriation will replace them.

Because it was repealed in conjunction with LRB draft #1265/1, s. 165.90 will have to be reinstated.

The appropriation language could read:

20.455(2)(k[Ⓟ]) *County-tribal programs, Indian compact receipts.* The amounts in the schedule to finance state operations associated with county-tribal law enforcement programs under s. 165.90. All moneys transferred from the appropriation account under s. 20.505(8)(hm)[Ⓟ] shall be credited to this appropriation.

Amendments to s. 165.90(4) to reflect creation of the new appropriation could include:

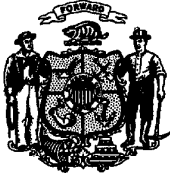
165.90(4) If the department approves a plan, the department shall certify the program as eligible to receive aid under s. 20.455 (2) ~~(d) and (hn)~~ (k[Ⓟ]). Prior to January 15, of the year for which funding is sought, the department shall distribute from the appropriations under s. 20.455 (2) ~~(d) and (hn)~~ (k[Ⓟ]) to each eligible program the amount necessary to implement the plan, subject to the following limitations:

165.90(4)(a) A program may use funds received under s. 20.455 (2) ~~(d) and (hm)~~
(k) only for law enforcement operations.

165.90(4)(b) A program shall, prior to the receipt of funds under s. 20.455
(2) ~~(d) and (hm)~~ (k) for the 2nd and any subsequent year, submit a report
to the department regarding the performance of law enforcement activities
on the reservation in the previous fiscal year.

Section 20.505(8)(hm) will have to be amended to include reference to this new
DOJ appropriation.

If you have any questions, please give me a call. Thanks.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1554/1

JEO:lj...
Wlj
+
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Seen

DOA:.....Statz – Funding for county–tribal law enforcement projects (Indian gaming initiative)

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

Do Not
GEN CAT.

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

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, a county that contains a federally recognized Indian reservation may enter into an agreement with the Indian tribe to establish a cooperative county–tribal law enforcement program. The department of justice (DOJ) gives aid to counties and tribes to implement these cooperative county–tribal law enforcement programs. Currently, the aid that DOJ gives to counties and tribes comes both from the general fund and from receipts from the penalty assessment surcharge that is levied on any fine or forfeiture imposed for a violation of a state law or a local ordinance. bill

This draft changes the source of funding for the aid that DOJ gives to cooperative county–tribal law enforcement programs. Instead of coming from the general fund and receipts from the penalty assessment surcharge, the aid will be funded using revenue that the state receives under Indian gaming compacts.

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 (2) (d) of the statutes is repealed.

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

2 **SECTION 2.** 20.455 (2) (hm) of the statutes is repealed.

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

3 **SECTION 3.** 20.455 (2) (hn) of the statutes is repealed.

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

4 **SECTION 4.** 20.455 (2) (ho) of the statutes is repealed.

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

5 **SECTION 5.** 20.455 (2) (kt) of the statutes is created to read:

6 20.455 (2) (kt) *County-tribal law enforcement programs.* The amounts in the
7 schedule for distribution to county-tribal law enforcement programs under s. 165.90
8 and for financing state operations associated with county-tribal law enforcement
9 programs under s. 165.90. All moneys transferred from the appropriation account
10 under s. 20.505 (8) (hm) 15g. shall be credited to this appropriation account.

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

 ****NOTE: The creation of s. 20.455 (2) (kt) is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this paragraph will have to be redrafted.

11 **SECTION 6.** 20.505 (8) (hm) 15g. of the statutes is created to read:

12 20.505 (8) (hm) 15g. The amount transferred to s. 20.455 (2) (kt) shall be the
13 amount in the schedule under s. 20.455 (2) (kt).

 ****NOTE: The creation of s. 20.505 (8) (hm) 15g. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this subdivision will have to be redrafted.

14 **SECTION 7.** 165.87 (1) (bp) of the statutes is repealed.

15 **SECTION 8.** 165.90 (4) (intro.) of the statutes is amended to read:

1 165.90 (4) (intro.) If the department approves a plan, the department shall
2 certify the program as eligible to receive aid under s. 20.455 (2) ~~(d) and (hn)~~ ^{✓✓}(kt). Prior
3 to January 15, of the year for which funding is sought, the department shall
4 distribute from the appropriations under s. 20.455 (2) ~~(d) and (hn)~~ ^{✓✓}(kt) to each eligible
5 program the amount necessary to implement the plan, subject to the following
6 limitations:

7 History: 1983 a. 523; 1987 a. 326; 1989 a. 31; 1995 a. 201.

7 **SECTION 9.** 165.90 (4) (a) of the statutes is amended to read:

8 165.90 (4) (a) A program may use funds received under s. 20.455 (2) ~~(d) or (hn)~~
9 [✓](kt) [✓]only for law enforcement operations.

10 History: 1983 a. 523; 1987 a. 326; 1989 a. 31; 1995 a. 201.

10 **SECTION 10.** 165.90 (4) (b) of the statutes is amended to read:

11 165.90 (4) (b) A program shall, prior to the receipt of funds under s. 20.455 (2)
12 ~~(d) or (hn)~~ [✓](kt) [✓]for the 2nd and any subsequent year, submit a report to the
13 department regarding the performance of law enforcement activities on the
14 reservation in the previous fiscal year.

15 History: 1983 a. 523; 1987 a. 326; 1989 a. 31; 1995 a. 201.

15 (END) [✓]



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1554/1
JEO:wlj&jlg:ijs

Soon

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redraft
make
run

DOA:.....Statz - Funding for county-tribal law enforcement projects (Indian gaming initiative)

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

do not gen

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Analysis by the Legislative Reference Bureau

STATE GOVERNMENT ✓

OTHER STATE GOVERNMENT ✓

Under current law, a county that contains a federally recognized Indian reservation may enter into an agreement with the Indian tribe to establish a cooperative county-tribal law enforcement program. The department of justice (DOJ) gives aid to counties and tribes to implement these cooperative county-tribal law enforcement programs. Currently, the aid that DOJ gives to counties and tribes comes both from the general fund and from receipts from the penalty assessment surcharge that is levied on any fine or forfeiture imposed for a violation of a state law or a local ordinance.

This bill changes the source of funding for the aid that DOJ gives to cooperative county-tribal law enforcement programs. Instead of coming from the general fund and receipts from the penalty assessment surcharge, the aid will be funded using revenue that the state receives under Indian gaming compacts.

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 (2) (d) of the statutes is repealed.

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

WJS
2-2
2

~~SECTION 2. 20.455 (2) (hm) of the statutes is repealed.~~

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

3 SECTION 3. 20.455 (2) (hn) of the statutes is repealed.

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

NS
2-4
4

~~SECTION 4. 20.455 (2) (ho) of the statutes is repealed.~~

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

5 SECTION 5. 20.455 (2) (kt) of the statutes is created to read:

~~20.455 (2) (kt) County-tribal law enforcement programs. The amounts in the schedule for distribution to county-tribal law enforcement programs under s. 165.90 and for financing state operations associated with county-tribal law enforcement programs under s. 165.90. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 15g. shall be credited to this appropriation account.~~

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

~~***NOTE: The creation of s. 20.455 (2) (kt) is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this paragraph will have to be redrafted.~~

11 SECTION 6. 20.505 (8) (hm) 15g. of the statutes is created to read:

12 20.505 (8) (hm) 15g. The amount transferred to s. 20.455 (2) (kt) shall be the
13 amount in the schedule under s. 20.455 (2) (kt).

***NOTE: The creation of s. 20.505 (8) (hm) 15g. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this subdivision will have to be redrafted.

WJS
2-14
14

14 SECTION 7. 165.87 (1) (bp) of the statutes is repealed.

15 SECTION 8. 165.90 (4) (intro.) of the statutes is amended to read:

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1554/2ins
JEO:.....

1 **INSERT 2-2:**

2 SECTION 1. 20.455 (2) (hm) of the statutes is renumbered 20.455 (2) (kt) and
3 amended to read:

4 20.455 (2) (kt) *County-tribal law enforcement programs, surcharge receipts.*

5 The amounts in the schedule for the purposes of distribution to county-tribal law
6 enforcement programs under s. 165.90. All moneys received from the penalty
7 assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1)
8 (bp) transferred from the appropriation account under s. 20.505 (8) (hm) 15g. shall
9 be credited to this appropriation. These moneys may be transferred to pars. (hn) and
10 (ho) by the secretary of administration for expenditures based upon determinations
11 by the department of justice account.

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.

****NOTE: The renumbering of s. 20.455 (2) (hm) *and amendment* to be s. 20.455 (2) (kt) is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this paragraph will have to be redrafted.

12 **INSERT 2-4:**

13 SECTION 2. 20.455 (2) (ho) of the statutes is renumbered 20.455 (2) (ku) and
14 amended to read:

15 20.455 (2) (ku) *County-tribal programs, state operations.* The amounts in the
16 schedule to finance state operations associated with county-tribal law enforcement
17 programs under s. 165.90. All moneys transferred from par. (hm) the appropriation
18 account under s. 20.505 (8) (hm) 15h shall be credited to this appropriation account.

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.

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1 **INSERT 2-14:**

2 **SECTION 3.** 20.505 (8) (hm) 15h. of the statutes is created to read:
3 20.505 (8) (hm) 15h. The amount transferred to s. 20.455 (2) (ku) shall be the
4 amount in the schedule under s. 20.455 (2) (ku).

****NOTE: The creation of s. 20.505 (8) (hm) 15h. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this subdivision will have to be redrafted.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1554/2
JEO:wlj&jlg:lp

Soon

3
redraft
make
run

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FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

do not gen

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INS
2-2
②
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6 The amounts in the schedule for the purposes of distribution to county-tribal law
7 enforcement programs under s. 165.90. All moneys ~~received from the penalty~~
8 ~~assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1)~~
9 ~~(bp) transferred from the appropriation account under s. 20.505 (8) (hm) 15g.~~ shall
10 be credited to this appropriation. ~~These moneys may be transferred to pars. (hn) and~~
11 ~~(ho) by the secretary of administration for expenditures based upon determinations~~
~~by the department of justice account.~~

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

***NOTE: The renumbering and amendment of s. 20.455 (2) (hm) is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this paragraph will have to be redrafted.

12 SECTION 3. 20.455 (2) (hn) of the statutes is repealed.

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

13 SECTION 4. 20.455 (2) (ho) of the statutes is renumbered 20.455 (2) (ku) and
14 amended to read:

15 20.455 (2) (ku) *County-tribal programs, state operations.* The amounts in the
16 schedule to finance state operations associated with county-tribal law enforcement
17 programs under s. 165.90. All moneys transferred from par. (hm) the appropriation
18 account under s. 20.505 (8) (hm) 15h. shall be credited to this appropriation account.

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

****NOTE: The renumbering and amendment of s. 20.455 (2) (ho) is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this paragraph will have to be redrafted.

1 **SECTION 5.** 20.505 (8) (hm) 15g. of the statutes is created to read:

2 20.505 (8) (hm) 15g. The amount transferred to s. 20.455 (2) (kt) shall be the
3 amount in the schedule under s. 20.455 (2) (kt).

****NOTE: The creation of s. 20.505 (8) (hm) 15g. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this subdivision will have to be redrafted.

4 **SECTION 6.** 20.505 (8) (hm) 15h. of the statutes is created to read:

5 20.505 (8) (hm) 15h. The amount transferred to s. 20.455 (2) (ku) shall be the
6 amount in the schedule under s. 20.455 (2) (ku).

****NOTE: The creation of s. 20.505 (8) (hm) 15h. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this subdivision will have to be redrafted.

7 **SECTION 7.** 165.87 (1) (bp) of the statutes is repealed.

8 **SECTION 8.** 165.90 (4) (intro.) of the statutes is amended to read:

9 165.90 (4) (intro.) If the department approves a plan, the department shall
10 certify the program as eligible to receive aid under s. 20.455 (2) ~~(d) and (hn)~~ (kt). Prior
11 to January 15, of the year for which funding is sought, the department shall
12 distribute from the appropriations under s. 20.455 (2) ~~(d) and (hn)~~ (kt) to each eligible
13 program the amount necessary to implement the plan, subject to the following
14 limitations:

15 **SECTION 9.** 165.90 (4) (a) of the statutes is amended to read:

16 165.90 (4) (a) A program may use funds received under s. 20.455 (2) ~~(d) or (hn)~~
17 (kt) only for law enforcement operations.

18 **SECTION 10.** 165.90 (4) (b) of the statutes is amended to read:

19 165.90 (4) (b) A program shall, prior to the receipt of funds under s. 20.455 (2)
20 ~~(d) or (hn)~~ (kt) for the 2nd and any subsequent year, submit a report to the

1 department regarding the performance of law enforcement activities on the
2 reservation in the previous fiscal year.

3 (END)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1554/3ins
JEO:.....

1 **INSERT 2-2:**

2 **SECTION 1.** 20.455 (2) (hm) ^X of the statutes is repealed.

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

3 **SECTION 2.** 20.455 (2) (hn) ^X of the statutes is renumbered 20.455 (2) (kt) and
4 amended to read:

5 20.455 (2) (kt) [✓] *County-tribal law enforcement programs, local assistance.* The
6 amounts in the schedule for distribution to county-tribal law enforcement programs
7 under s. 165.90. All moneys transferred from ~~par. (hm)~~ [✓] the appropriation account
8 under s. 20.505 (8) (hm) 15g. [✓] shall be credited to this appropriation account.

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

****NOTE: The renumbering and amendment of s. 20.455 (2) (hn) [✓] is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this paragraph [✓] will have to be redrafted.

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.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1554/3
JEO:wlj&jlg:hmh

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4

DOA:.....Statz - Funding for county-tribal law enforcement projects (Indian gaming initiative)

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

1 AN ACT *do not gen* ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, a county that contains a federally recognized Indian reservation may enter into an agreement with the Indian tribe to establish a cooperative county-tribal law enforcement program. The department of justice (DOJ) gives aid to counties and tribes to implement these cooperative county-tribal law enforcement programs. Currently, the aid that DOJ gives to counties and tribes comes both from the general fund and from receipts from the penalty assessment surcharge that is levied on any fine or forfeiture imposed for a violation of a state law or a local ordinance.

This bill changes the source of funding for the aid that DOJ gives to cooperative county-tribal law enforcement programs. Instead of coming from the general fund and receipts from the penalty assessment surcharge, the aid will be funded using revenue that the state receives under Indian gaming compacts.

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 (2) (d) of the statutes is repealed.

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

2 SECTION 2. 20.455 (2) (hm) of the statutes is repealed.

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

3 SECTION 3. 20.455 (2) (hn) of the statutes is renumbered 20.455 (2) (kt) and
4 amended to read:

plain text

5 20.455 (2) (kt) ~~County-tribal law enforcement programs~~ local assistance The
6 amounts in the schedule for distribution to county-tribal law enforcement programs
7 under s. 165.90. All moneys transferred from ~~par. (hm)~~ the appropriation account
8 under s. 20.505 (8) (hm) 15g. shall be credited to this appropriation account.

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9 SECTION 4. 20.455 (2) (ho) of the statutes is renumbered 20.455 (2) (ku) and
10 amended to read:

11 20.455 (2) (ku) *County-tribal programs, state operations.* The amounts in the
12 schedule to finance state operations associated with county-tribal law enforcement
13 programs under s. 165.90. All moneys transferred from ~~par. (hm)~~ the appropriation
14 account under s. 20.505 (8) (hm) 15h. shall be credited to this appropriation account.

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15 SECTION 5. 20.505 (8) (hm) 15g. of the statutes is created to read:

16 20.505 (8) (hm) 15g. The amount transferred to s. 20.455 (2) (kt) shall be the
17 amount in the schedule under s. 20.455 (2) (kt).



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1554/4

JEO:wlj&jlg:ijs

redraft
maker
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5

D-Note

DOA:.....Statz - Funding for county-tribal law enforcement projects (Indian gaming initiative)

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 that contains a federally recognized Indian reservation may enter into an agreement with the Indian tribe to establish a cooperative county-tribal law enforcement program. The department of justice (DOJ) gives aid to counties and tribes to implement these cooperative county-tribal law enforcement programs. Currently, the aid that DOJ gives to counties and tribes comes both from the general fund and from receipts from the penalty assessment surcharge that is levied on any fine or forfeiture imposed for a violation of a state law or a local ordinance.

This bill changes the source of funding for the aid that DOJ gives to cooperative county-tribal law enforcement programs. Instead of coming from the general fund and receipts from the penalty assessment surcharge, the aid will be funded using revenue that the state receives under Indian gaming compacts.

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 (2) (d) of the statutes is repealed.

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

INS
2-2

2 SECTION 2. 20.455 (2) (hm) of the statutes is repealed.

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

INS
2-4

3 SECTION 3. 20.455 (2) (hn) of the statutes is renumbered 20.455 (2) (kt) and

4 amended to read:

5 20.455 (2) (kt) *County-tribal programs, local assistance.* The amounts in the
6 schedule for distribution to county-tribal law enforcement programs under s.
7 165.90. All moneys transferred from ~~par. (hm)~~ the appropriation account under s.
8 20.505 (8) (hm) 15g. shall be credited to this appropriation account.

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

***NOTE: The renumbering and amendment of s. 20.455 (2) (hn) is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this paragraph will have to be redrafted.

INS
2-9

9 SECTION 4. 20.455 (2) (ho) of the statutes is renumbered 20.455 (2) (ku) and

10 amended to read:

11 20.455 (2) (ku) *County-tribal programs, state operations.* The amounts in the
12 schedule to finance state operations associated with county-tribal law enforcement
13 programs under s. 165.90. All moneys transferred from ~~par. (hm)~~ the appropriation
14 account under s. 20.505 (8) (hm) 15h. shall be credited to this appropriation account.

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

***NOTE: The renumbering and amendment of s. 20.455 (2) (ho) is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this paragraph will have to be redrafted.

INS
2-15

15 SECTION 5. 20.505 (8) (hm) 15g. of the statutes is created to read:

16 20.505 (8) (hm) 15g. The amount transferred to s. 20.455 (2) (kt) shall be the
17 amount in the schedule under s. 20.455 (2) (kt).

****NOTE: The creation of s. 20.505 (8) (hm) 15g. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this subdivision will have to be redrafted.

1 **SECTION 6.** 20.505 (8) (hm) 15h. of the statutes is created to read:
2 20.505 (8) (hm) 15h. The amount transferred to s. 20.455 (2) (ku) shall be the
3 amount in the schedule under s. 20.455 (2) (ku).

****NOTE: The creation of s. 20.505 (8) (hm) 15h. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this subdivision will have to be redrafted.

INS
3-4

4 **SECTION 7.** 165.87 (1) (bp) of the statutes is repealed.

5 **SECTION 8.** 165.90 (4) (intro.) of the statutes is amended to read:

6 165.90 (4) (intro.) If the department approves a plan, the department shall
7 certify the program as eligible to receive aid under s. 20.455 (2) (~~d~~) and (~~hn~~) (kt). Prior
8 to January 15, of the year for which funding is sought, the department shall
9 distribute from the appropriations under s. 20.455 (2) (~~d~~) and (~~hn~~) (kt) to each eligible
10 program the amount necessary to implement the plan, subject to the following
11 limitations:

12 **SECTION 9.** 165.90 (4) (a) of the statutes is amended to read:

13 165.90 (4) (a) A program may use funds received under s. 20.455 (2) (~~d~~) or (~~hn~~)
14 (kt) only for law enforcement operations.

15 **SECTION 10.** 165.90 (4) (b) of the statutes is amended to read:

16 165.90 (4) (b) A program shall, prior to the receipt of funds under s. 20.455 (2)
17 (~~d~~) or (~~hn~~) (kt) for the 2nd and any subsequent year, submit a report to the
18 department regarding the performance of law enforcement activities on the
19 reservation in the previous fiscal year.

INS
3-19

20

(END)

[Handwritten scribbles and notes at the bottom of the page, including the phrase "This section has been affected by..." and "165.90 (4) (b)"]

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1554/5ins
JEO:.....

1 **INSERT 2-2:**

****NOTE: This is reconciled s. 20.455 (2) (d).[✓] This SECTION has been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

2 **INSERT 2-4:**

****NOTE: This is reconciled s. 20.455 (2) (hm).[✓] This SECTION has been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

3 **INSERT 2-9:**

****NOTE: This is reconciled s. 20.455 (2) (hn).[✓] This SECTION has been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

4 **INSERT 2-15:**

****NOTE: This is reconciled s. 20.455 (2) (ho).[✓] This SECTION has been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

5 **INSERT 3-4:**

****NOTE: This is reconciled s. 165.87 (1) (bp).[✓] This SECTION has been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

6 **INSERT 3-19:**

****NOTE: The three preceding SECTIONS show reconciled s. 165.90.[✓] These SECTIONS have been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1554/5dn

JEO:.....

↑
Jg

Andrew Statz:

This draft reconciles LRB-1554/4 and LRB-1265/5. Both 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-1554/5dn
JEO:jlj:ijs

February 3, 1999

Andrew Statz:

This draft reconciles LRB-1554/4 and LRB-1265/5. Both 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-1554/5
JEO:wlj&jlg:ijs
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Today

D-Note

DOA:.....Statz - Funding for county-tribal law enforcement projects (Indian gaming initiative)

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 that contains a federally recognized Indian reservation may enter into an agreement with the Indian tribe to establish a cooperative county-tribal law enforcement program. The department of justice (DOJ) gives aid to counties and tribes to implement these cooperative county-tribal law enforcement programs. Currently, the aid that DOJ gives to counties and tribes comes both from the general fund and from receipts from the penalty assessment surcharge that is levied on any fine or forfeiture imposed for a violation of a state law or a local ordinance.

This bill changes the source of funding for the aid that DOJ gives to cooperative county-tribal law enforcement programs. Instead of coming from the general fund and receipts from the penalty assessment surcharge, the aid will be funded using revenue that the state receives under Indian gaming compacts.

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 (2) (d) of the statutes is repealed.

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

****NOTE: This is reconciled s. 20.455 (2) (d). This SECTION has been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

2 SECTION 2. 20.455 (2) (hm) of the statutes is repealed.

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

****NOTE: This is reconciled s. 20.455 (2) (hm). This SECTION has been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

3 SECTION 3. 20.455 (2) (hn) of the statutes is renumbered 20.455 (2) (kt) and
4 amended to read:

5 20.455 (2) (kt) *County-tribal programs, local assistance.* The amounts in the
6 schedule for distribution to county-tribal law enforcement programs under s.
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10 amended to read:

11 20.455 (2) (ku) *County-tribal programs, state operations.* The amounts in the
12 schedule to finance ~~state operations~~ *the activities of the department of justice* ✓ associated with county-tribal law enforcement
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3 department regarding the performance of law enforcement activities on the
4 reservation in the previous fiscal year.

 ****NOTE: The three preceding SECTIONS show reconciled s. 165.90. These SECTIONS
 have been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

5

(END)

LRB-1554/6 dn
JEO: jlg:

D-Note

Ⓐ This is reconciled LRB-1554. This
= redraft ~~only~~ changes ~~only~~ the language
in renumbered s. 20.455 (2) (ho) ✓ to
refer to the activities of DOJ instead
of "state operations". No other changes
were made.

JEO

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

LRB-1554/6dn
JEO;jlg:ijs

February 3, 1999

This is reconciled LRB-1554. This redraft changes the language in renumbered s. 20.455 (2) (ho) to refer to the activities of DOJ instead of "state operations". No other changes were made.

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



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1554/6
JEO:wlj&jlg:ijs

DOA:.....Statz - Funding for county-tribal law enforcement projects (Indian gaming initiative)

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

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 ***NOTE: This is reconciled s. 20.455 (2) (d). This SECTION has been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

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10 amended to read:

11 20.455 (2) (ku) *County-tribal programs, state operations.* The amounts in the
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13 associated with county-tribal law enforcement programs under s. 165.90. All
14 moneys transferred from ~~par. (hm)~~ the appropriation account under s. 20.505 (8)
15 (hm) 15h. shall be credited to this appropriation account.

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

****NOTE: The renumbering and amendment of s. 20.455 (2) (ho) is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this paragraph will have to be redrafted.

****NOTE: This is reconciled s. 20.455 (2) (ho). This SECTION has been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

1 **SECTION 5.** 20.505 (8) (hm) 15g. of the statutes is created to read:

2 20.505 (8) (hm) 15g. The amount transferred to s. 20.455 (2) (kt) shall be the
3 amount in the schedule under s. 20.455 (2) (kt).

****NOTE: The creation of s. 20.505 (8) (hm) 15g. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this subdivision will have to be redrafted.

4 **SECTION 6.** 20.505 (8) (hm) 15h. of the statutes is created to read:

5 20.505 (8) (hm) 15h. The amount transferred to s. 20.455 (2) (ku) shall be the
6 amount in the schedule under s. 20.455 (2) (ku).

****NOTE: The creation of s. 20.505 (8) (hm) 15h. is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill this subdivision will have to be redrafted.

7 **SECTION 7.** 165.87 (1) (bp) of the statutes is repealed.

****NOTE: This is reconciled s. 165.87 (1) (bp). This SECTION has been affected by drafts with the following LRB numbers: 1265/5 and 1554/4.

8 **SECTION 8.** 165.90 (4) (intro.) of the statutes is amended to read:

9 165.90 (4) (intro.) If the department approves a plan, the department shall
10 certify the program as eligible to receive aid under s. 20.455 (2) ~~(d) and (hn)~~ (kt). Prior
11 to January 15, of the year for which funding is sought, the department shall
12 distribute from the appropriations under s. 20.455 (2) ~~(d) and (hn)~~ (kt) to each eligible
13 program the amount necessary to implement the plan, subject to the following
14 limitations:

15 **SECTION 9.** 165.90 (4) (a) of the statutes is amended to read:

16 165.90 (4) (a) A program may use funds received under s. 20.455 (2) ~~(d) or (hn)~~
17 (kt) only for law enforcement operations.

18 **SECTION 10.** 165.90 (4) (b) of the statutes is amended to read:

