

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB133)**

Received: **05/28/99**

Received By: **olsenje**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Zabawa (DS)**

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

Drafter: **olsenje**

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Subject: **Public Defender**

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**Pre Topic:**

LFB:.....Zabawa (DS) -

**Topic:**

SPD caseload for ch. 980 cases

**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 05/28/99	ygeller 05/28/99	martykr 05/28/99	_____	lrb_docadmin 05/28/99		

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## Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

60458

May 27, 1999

Joint Committee on Finance

Paper #747

### Minor Policy and Technical Changes -- Repeal Sunset Provision for Sexually Violent Person Commitment Caseload (Public Defender)

#### CURRENT LAW

Under current law, the annual state public defender caseload standard for trial representation of sexually violent persons under Chapter 980 is 15 cases. This statutory provision will sunset on June 30, 1999.

#### GOVERNOR

No provision.

#### MODIFICATION

Repeal the June 30, 1999, sunset provision relating to an assistant state public defender's annual caseload standard for representing at trial sexually violent persons under Chapter 980.

**Explanation:** The sunset of the caseload standard was established in 1997 Act 27 because of the uncertainty concerning the constitutionality of the sexually violent person (sex predator) law. Subsequently, the U.S. Supreme Court ruled that a similar sexual predator law in Kansas is constitutional. Therefore, the sunset provision for the caseload standard for sexually violent person cases should be repealed to make permanent the attorney caseload of 15 cases for sexually violent person commitment cases under Chapter 980. Funding provided under the bill assumes this caseload standard.

adopted

Prepared by: Barbara Zabawa



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0458/1

JEO:.....

Soon

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jlg

LFB:.....Zabawa (DS) – SPD caseload for ch. 980 cases

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

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

2 1. Page 1360, line 18: delete lines 18 to 21 and substitute:

3 “SECTION 3206g. 977.08 (5) (b)<sup>x</sup> of the statutes is repealed.

4 SECTION 3206h. 977.08 (5) (bn) (intro.)<sup>x</sup> of the statutes is amended to read:

5 977.08 (5) (bn) (intro.) ~~Beginning on October 14, 1997, and ending on June 30,~~

6 1999 Except as provided in par. (br)<sup>v</sup>, any of the following constitutes an annual

7 caseload standard for an assistant state public defender in the subunit responsible

8 for trials.”.

History: 1977 c. 29, 354; 1979 c. 352, 356; 1981 c. 20; 1983 a. 377; 1985 a. 29 ss. 2473 to 2476a, 3202 (42); 1985 a. 120; 1987 a. 27, 399; 1989 a. 12; 1991 a. 39, 263; 1993 a. 16, 318, 423, 451, 491; 1995 a. 27, 77; 1997 a. 27.

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(END)✓



State of Wisconsin  
1999 - 2000 LEGISLATURE

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