

2001 DRAFTING REQUEST

Bill

Received: **09/20/2000**

Received By: **nelsorp1**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-2213**

By/Representing: **Steinmetz**

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

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Correctional System - parole**

Extra Copies:

Pre Topic:

DOA:.....Steinmetz -

Topic:

Increase number of parole commission members

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	nelsorp1 09/28/2000	gilfokm 09/28/2000	pgreensl 09/29/2000	_____	lrb_docadmin 09/29/2000		State
/2	nelsorp1 01/13/2001	jdyer 01/13/2001	pgreensl 01/14/2001	_____	lrb_docadmin 01/15/2001		State
/3	nelsorp1 01/15/2001	jdyer 01/15/2001	martykr 01/15/2001	_____	lrb_docadmin 01/15/2001		State

FE Sent For:

<END>

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FE Sent For:

13/15 jld

km/15

SS km/15

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		1/2 1/3 jd	1/4 pg				
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1/1	nelsorp1	11-9/28 King	9/28 PS	9/29 pcj/km			

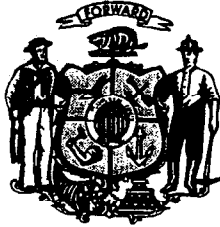
FE Sent For:

<END>

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

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY



Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: September 20, 2000

To: Steve Miller, LRB

From: Jana D. Steinmetz, DOA
266-2213

Subject: Department of Corrections Biennial Budget Request Statutory Language Drafts

I'm forwarding statutory language changes that the Department of Corrections (DOC) included with its budget submission.

- ✓ 1. New appropriation for Information Technology Master Lease Payments: This new appropriation will be used by the department to make master lease payments for the Integrated Corrections System and department IT equipment replacement. See Attachment 1.
- X 2. Parole Commission Members: This change to s. 15.145(1) will increase the number of Parole Commission members from 6 to 8. See attachment 2.
- ✓ 3. Allocation of Byrne Law Enforcement Assistance/Penalty Assessment Funds: This change provides updated language regarding Byrne/penalty assessment funds to specify amount the department is requesting from the Office of Justice Assistance for the OWI 5th Offense program. See Attachment 3.
- ✓ 4. Establish New Institutions at Redgranite and New Lisbon: This change to s. 301.16(lr) and s. 301.16(ls) establishes medium security correctional facilities at Redgranite and New Lisbon. See attachment 4.
- ✓ 5. Deletion of Obsolete Appropriations: These changes eliminate obsolete appropriations from the department's Chapter 20 appropriation schedule. See attachment 5.

cc: Jim Johnston
Justice Team Lead

Department of Corrections
2001-2003 BIENNIAL BUDGET
Statutory Language Request

Topic: Parole Commission Members

Current Language

Current language at §15.145(1) establishes the Parole Commission as having six members, with a chairperson nominated by the Governor and confirmed by the Senate and 5 members in the classified service appointed by the chairperson.

Proposed Change

Amend §15.145(1) to revise the number of Parole Commission members to 8 members, with the chairperson and 7 members of the Commission appointed by the chairperson.

§15.145(1) Parole commission. There is created in the department of corrections a parole commission consisting of ~~6~~8 members. Members shall have knowledge of or experience in corrections or criminal justice. The members shall include a chairperson who is nominated by the governor, and with the advice and consent of the senate appointed, for a 2-year term expiring March 1 of the odd-numbered years, subject to removal under s. 17.07 (3m), and ~~5~~ 7 members in the classified service appointed by the chairperson.

Effect of the Change

This change would expand the number of parole commission members, including the chairperson, from 6 to 8.

Rationale for the Change

The Parole Commission currently has insufficient resources to meet the statutory requirements of holding regularly scheduled parole hearings. This Department has requested in its biennial budget funding and position authority to increase the number of commissioners, including the chairperson, from 6 to 8.

Desired Effective Date: Upon Passage of Bill
Agency: DOC
Agency Contact: Bob Nikolay
Phone: 267-0930



soon

DOA:.....Steinmetz – Increase number of parole commission members
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1

AN ACT ^{DON'T GEN. CAT.} relating to: the budget.

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

ADULT CORRECTIONAL SYSTEM

correctional

This bill increases the number of members of the parole commission from six to eight. The parole commission determines if a person may be released on parole from an adult ~~correction~~ facility. The chairperson of the parole commission, who is nominated by the governor and with the advice and consent of the Senate appointed, appoints the other members of the parole commission.

For further information see the *state* 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 1. 15.01 (2) of the statutes is amended to read:

3

15.01 (2) "Commission" means a 3-member governing body in charge of a

4

department or independent agency or of a division or other subunit within a

1 department, except for the Wisconsin waterways commission which shall consist of
2 5 members, the parole commission which shall consist of 6 8 members[✓] and the Fox
3 river management commission which shall consist of 7 members. A Wisconsin group
4 created for participation in a continuing interstate body, or the interstate body itself,
5 shall be known as a "commission", but is not a commission for purposes of s. 15.06.
6 The parole commission created under s. 15.145 (1) shall be known as a "commission",
7 but is not a commission for purposes of s. 15.06.

History: 1977 c. 29, 274; 1979 c. 34; 1983 a. 27, 189, 371, 410, 538; 1985 a. 29, 120, 180; 1987 s. 27, 342, 399; 1989 a. 31, 107, 202; 1991 a. 39, 269, 315; 1993 a. 16, 107, 210, 215; 1995 a. 27 ss. 74 and 9145 (1); 1995 a. 442, 462; 1997 a. 27, 237.

8 **SECTION 2. 15.145 (1) of the statutes is amended to read:**

9 15.145 (1) PAROLE COMMISSION. There is created in the department of
10 corrections a parole commission consisting of 6 8 members. Members shall have
11 knowledge of or experience in corrections or criminal justice. The members shall
12 include a chairperson who is nominated by the governor, and with the advice and
13 consent of the senate appointed, for a 2-year term expiring March 1 of the
14 odd-numbered years, subject to removal under s. 17.07 (3m), and 5 7 members in the
15 classified service appointed by the chairperson.

History: 1989 a. 107 ss. 4, 5m; 1989 a. 121; 1993 a. 399; 1997 a. 27, 237.

16 (END)

6-2213

Nelson, Robert P.

From: Steinmetz, Jana
Sent: Friday, January 12, 2001 4:39 PM
To: Nelson, Robert P.
Cc: Johnston, James
Subject: Statutory Language - Dépt. of Corrections

Bob,

Below are comments on several drafts, some of which you had questions on.

✓ LRB-1910/2 (lapse of funds) is fine as drafted.

X LRB-0473-1 (increasing the number of Parole Commission members). I previously told you it was fine as drafted, but we would like to make a change. The two additional members added in this biennium should sunset on June 30, 2003 (i.e., they should only exist for two years).

LRB-1906/1 (appropriation for fee collected from DOC employees). The primary purpose of the appropriation is for DOC to be able to deposit funds from parking and cafeteria fees collected from employees at the central office. The use of the term "facilities" would seem appropriate for the title and the language of the appropriation itself, but I will defer to your judgment as to whether that is appropriate.

LRB-1606/1 (autopsy for prison inmates). In answer to your questions, there is no need to create a separate appropriation for DOC to pay for the autopsies, nor a need to add language specifying what appropriation they will use to pay for them.

As for the reference to state correctional institutions, it's less clear. The directive should apply to inmates in state correctional institutions, which should include state prisons, correctional centers, probation and parole holds facilities and workhouses (all listed in s. 302.01). It should also apply to inmates held in out-of-state facilities. As far as the out-of-state facilities, DOC should be compelled to arrange for an autopsy to be performed on the inmate and have the results forwarded to the appropriate authorities in the state in which the death occurred. This should be broad given that inmates are currently held in several different states, and those states are subject to change in the future.

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

Thanks,

Jana

1 department, except for the Wisconsin waterways commission which shall consist of
2 5 members, ~~the parole commission which shall consist of 6 members~~ and the Fox
3 river management commission which shall consist of 7 members. A Wisconsin group
4 created for participation in a continuing interstate body, or the interstate body itself,
5 shall be known as a "commission", but is not a commission for purposes of s. 15.06.
6 The parole commission created under s. 15.145 (1) shall be known as a "commission",
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13 consent of the senate appointed, for a 2-year term expiring March 1 of the
14 odd-numbered years, subject to removal under s. 17.07 (3m), and ~~5~~ members in the
15 classified service appointed by the chairperson.

16 (END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0473/2ins
RPN:kmg:pg

1 insert 2-3:

2 ~~(NO 4)~~ and the parole commission, which shall consist of 6 members, except that
3 during the period from the effective date of this subsection... [revisor inserts date],
4 ~~until July~~ ^{to June 30} 2003, the parole commission shall consist of 8 members

5 insert 2-10:

6 ~~(NO 4)~~ which shall consist of 6 members, except that during the period from the
7 effective date of this subsection... [revisor inserts date], ~~until July~~ ^{to June 30} 2003, the parole
8 commission shall consist of 8



D-note

DOA:.....Steinmetz – Increase number of parole commission members

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

D-Note:
This draft corrects a technical error in the analysis of ~~examination~~ ~~examinations~~
RPN

do not gen

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

Analysis by the Legislative Reference Bureau
CORRECTIONAL SYSTEM
ADULT CORRECTIONAL SYSTEM

This bill increases the number of members of the parole commission from six to eight from the effective date of this bill to June 30, 2003. After that date, the parole commission reverts back to six members, the parole commission determines if a person may be released on parole from an adult correctional facility. The chairperson of the parole commission, who is nominated by the governor and with the advice and consent of the senate appointed, appoints the other members of the parole commission.

For further information see the *state* 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 1. 15.01 (2) of the statutes is amended to read:

3 15.01 (2) "Commission" means a 3-member governing body in charge of a
4 department or independent agency or of a division or other subunit within a

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2 5 members, ~~the parole commission which shall consist of 6 members and the Fox~~
3 ~~River management commission which shall consist of 7 members, and the parole~~
4 ~~commission, which shall consist of 6 members, except that during the period from the~~
5 ~~effective date of this subsection [revisor inserts date], until June 30, 2003, the~~
6 ~~parole commission shall consist of 8 members.~~ A Wisconsin group created for
7 participation in a continuing interstate body, or the interstate body itself, shall be
8 known as a “commission”, but is not a commission for purposes of s. 15.06. The parole
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11 **SECTION 2.** 15.145 (1) of the statutes is amended to read:

12 15.145 (1) PAROLE COMMISSION. There is created in the department of
13 corrections a parole commission ~~consisting of 6, which shall consist of 6 members,~~
14 ~~except that during the period from the effective date of this subsection [revisor~~
15 ~~inserts date], until June 30, 2003, the parole commission shall consist of 8 members.~~
16 Members shall have knowledge of or experience in corrections or criminal justice.
17 The members shall include a chairperson who is nominated by the governor, and
18 with the advice and consent of the senate appointed, for a 2-year term expiring
19 March 1 of the odd-numbered years, subject to removal under s. 17.07 (3m), and 5
20 the remaining members in the classified service appointed by the chairperson.

21 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0473/3dn
RPN:kmg&jld:km

January 15, 2001

This draft corrects a technical error in the analysis.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us



DOA:.....Steinmetz -- Increase number of parole commission members
FOR 2001-03 BUDGET -- NOT READY FOR INTRODUCTION

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20 the remaining members in the classified service appointed by the chairperson.

21 (END)