

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Keckhaver

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: Drunk Driving - procedures

Extra Copies: TNF, ARG, JTK

Submit via email: NO

Requester's email:

Pre Topic:

SDC:.....Keckhaver - CN5503,

Topic:

Pretrial intoxicated driver grant program

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	phurley 06/16/2001	hhagen 06/16/2001 hhagen 06/18/2001	haugca 06/17/2001	_____	lrb_docadmin 06/17/2001		
/2			rschluet 06/18/2001	_____	lrb_docadmin 06/18/2001		

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FE Sent For:

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hhagen
6-18-01
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/1	phurley	lhmk 6/16/01	CH 6-17	CH 6-17 JE			

FE Sent For:

<END>

ADMINISTRATION -- OFFICE OF JUSTICE ASSISTANCE/TRANSPORTATION

Byrne Funding for the Pretrial Intoxicated Driver Intervention Grant Program

[LFB Paper #192]

5503
C10503

Motion:

Move to direct the Office of Justice Assistance (OJA) to allocate to the Department of Transportation (DOT) \$250,000 annually in federal Byrne and matching penalty assessment--local funds to expand the pretrial intoxicated driver grant program. Create a program revenue--service appropriation in DOT to receive the funds and specify that the appropriation's funds be used for the pretrial intoxicated driver intervention grant program.

Note:

The motion would provide \$250,000 annually in federal Byrne and matching penalty assessment--local funds to expand the pretrial intoxicated driver grant program in DOT. Of the 25% match required under federal law for Byrne funds, the state would provide 15% of the required match or \$37,500 PR annually. The motion would also create a program revenue appropriation in DOT to receive the funds. The grant recipients would have to provide the remaining 10% match or a total of \$25,000 annually. This program awards grants to cities, villages, towns, counties or private nonprofit organizations to administer local pretrial intoxicated driver intervention programs that, prior to the sentencing of a defendant for operating while intoxicated, do all of the following: (a) identifies the defendant and notifies him or her of the availability and cost of the program and that, if the defendant is convicted, a court will consider the defendant's participation in the program when imposing a sentence; (b) monitors the defendant's use of intoxicants to reduce the incidence of abuse; (c) treats the defendant's abuse of intoxicants to reduce the incidence of abuse; (d) reports to the court on the defendant's participation in the program; and (e) requires program participants to pay a reasonable fee to participate in the program. Such a fee may not exceed 20% of the actual per capita cost of the program. Only a defendant accused of or charged with a 2nd or subsequent violation of operating while intoxicated may participate in the program. Consent to participate in these programs by a defendant is not an admission of guilt and the consent may not be admitted in evidence in a trial for operating while intoxicated. No statement relating to operating while intoxicated, made by the defendant in connection with any discussions concerning the program or to any person involved in the program, is admissible in a trial for operating while intoxicated.

6-15-01

He with

Jon Dyck re CN 5503

- \$ already coming from
(6)

20. 505/(kt) and (p) - no new
drafting needed there.

Need to cr. DOT approp to
receive fedl \$ & to amend schedule
to reflect the annual PRF \$250,000



SDC:.....Keckhaver – CN5503, Pretrial intoxicated driver grant program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 1. Page 350, line 11: after that line insert:

3 "SECTION 672L. 20.395 (5) (jt) of the statutes is created to read:

4 20.395 (5) (jt) *Pretrial intoxicated driver intervention programs, service funds.*

5 All moneys received from the office of justice assistance in the department of
6 administration for the purpose of awarding grants under s. 85.53."

7 2. Page 75, line 19: after that line insert:

8 "SECTION 327n. 16.964 (1) (i) of the statutes is created to read:

substitute amendment

1 16.964 (1) (i) From the appropriation^s under s. 20.505 (6) (kt) and (p), allocate
 2 \$250,000 annually to the department of transportation for the purpose of awarding
 3 grants under s. 85.53.”

4 **3.** Page 878, line 10: after that line insert:

5 **SECTION 2340q.** 85.53 (3) of the statutes is amended to read:

6 85.53 (3) Grants under this section shall be paid from the appropriation^s under
 7 s. 20.395 (5) (jr) and (jt). The amount of a grant may not exceed 80% of the amount
 8 expended by an eligible applicant for services related to the program.”

9 History: 1997 a. 27; 1999 a. 9, 185.

(END)



SDC:.....Keckhaver – CN5503, Pretrial intoxicated driver grant program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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SDC:.....Keckhaver – CN5503, Pretrial intoxicated driver grant program

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