

**2001 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-SB55)**

Received: **06/15/2001**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Keckhaver**

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

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - miscellaneous  
Correctional System - prisons  
Courts - miscellaneous  
Legislature - miscellaneous**

Extra Copies: **rpn, rlr**

Submit via email: **NO**

Requester's email:

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**Pre Topic:**

SDC:.....Keckhaver - CN7522

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**Topic:**

Prison impact assessment for bills that create a felony

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**Instructions:**

See Attached

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**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>
/?	mdsida 06/16/2001	jdye 06/16/2001		_____			
/1			pgreensl 06/17/2001	_____	lrb_docadmin 06/17/2001		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	nelsorp1 06/18/2001	jdyer 06/18/2001	haugca 06/18/2001	_____	lrb_docadmin 06/18/2001		
		jdyer 06/18/2001		_____			
/3			jfrantze 06/18/2001	_____	lrb_docadmin 06/18/2001		

FE Sent For:

<END>

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Courts - miscellaneous  
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Requester's email:

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SDC:.....Keckhaver - CN7522

Topic:

Prison impact assessment for bills that create a felony

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>
/?	mdsida 06/16/2001	jdye 06/16/2001					
/1		13 6/18 jlc	pgreensl 06/17/2001		lrb_docadmin 06/17/2001		

6/18 Self  
6/18

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	nelsorp1 06/18/2001	jdye 06/18/2001	haugca 06/18/2001	_____	lrb_docadmin 06/18/2001		

FE Sent For:

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/?	mdsida 06/16/2001	jdye 06/16/2001					
/1		2/17 jld	pgreensl 06/17/2001 12h 6/18		lrb_docadmin 06/17/2001		

**FE Sent For:**

**<END>**

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**Senate Amendment (SA-SSA1-SB55)**

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Received By: **mdsida**

Wanted: **As time permits**

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By/Representing: **Keckhaver**

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

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Extra Copies: **rpn, rlr**

Submit via email: **NO**

Requester's email:

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**Pre Topic:**

SDC:.....Keckhaver - CN7522

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**Topic:**

Prison impact assessment for bills that create a felony

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**Instructions:**

See Attached

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<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?	mdsida	1/16 JLD	6/16 PS	6/16 PS TKR			

FE Sent For:

<END>

Agency: Circuit Courts

caucus number 4520

duplicate flag: y  
duplicate with: 5524;2714;6511;  
4520;9508

Other reference numbers:

LFB Sum #:

FM 451  
bill number/amendment number:  
LRB draft #

LRB P-draft:

description: Support Court Interpreter motion 451 (Huber)

other notes Failed in JFC (8-8)

drafting instructions:

more instructions:

GPR: \$554,800.00	PR: \$0.00	SEG: \$0.00	Other:
FED: \$0.00	TANF: \$0.00	All Funds: \$0.00	
GPR-REV: \$0.00	SEG-REV: \$0.00	PR-REV: \$0.00	
no fiscal impact:	unknown impact:		

RPN

caucus number 7522

duplicate flag:

Other reference numbers:

LFB Sum #:

duplicate with:

bill number/amendment number: 1999 SB 120

LRB draft #

LRB P-draft:

description: Requires the Director of State Courts to provide a prison impact assessment for any bill or bill draft that creates a felony.

other notes This motion would impact DOC, Office of Justice Assistance, DOA and Circuit Courts.

drafting instructions:

more instructions:

GPR: \$250,000.00	PR: \$0.00	SEG: \$0.00	Other:
FED: \$0.00	TANF: \$0.00	All Funds: \$0.00	
GPR-REV: \$0.00	SEG-REV: \$0.00	PR-REV: \$0.00	
no fiscal impact:	unknown impact:		

RPN?

Agency: Circuit Courts

Number of Amendments: 2

↑  
MGD - did you get this already?



Agency: Director of State Courts  
Fiscal Bureau Paper: None (New Proposal)  
Fiscal Bureau Motion: None  
Fiscal Effect: \$250,000 GPR

CN  
7522  
RPN

Current law provides that a fiscal estimate be prepared for most legislative bills. A fiscal estimate for a bill is prepared by the appropriate state agency. However, current law exempts a bill containing penalty provisions from this procedure if no other provision of the bill requires a fiscal estimate.

This proposal provides that the Director of State Courts must provide a prison impact assessment for any bill or bill draft that creates a felony (crime punishable by imprisonment in the state prison system) or modifies the period of imprisonment for a felony. The Director has 21 days in which to prepare the assessment, beginning with the date on which the Director receives a copy of an introduced bill from the Legislative Reference Bureau or the date on which the requester of the bill draft asks for the assessment, whichever occurs first. The assessment will include estimates of the population of prisoners, probationers, parolees and persons on extended supervision; a fiscal estimate regarding the impact on prison construction and operation; an analysis of the impact on prosecutors, the state public defender and the courts; and a description of the assumptions and methodologies that were used to prepare the assessment.

This proposal provides that no legislative action on the bill or bill draft may be taken until the assessment is prepared. In addition, the Director must prepare a yearly total prison impact assessment. The Department of Corrections, the Office of Justice Assistance in the Department of Administration, and the Circuit Courts must help the director by providing him or her with relevant information.

*Note: This proposal was previously introduced as 1999 Senate Bill 120.*

AMDT TO BUDGET SUB AMDT

mgd:jld:\_\_\_\_\_

See form AMENDMENTS — COMPONENTS & ITEMS.

SENATE AMENDMENT  
TO ~~SENATE AMENDMENT~~  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 55

D-Note

At the locations indicated, amend the substitute amendment [amendment] as follows:

#. Page 7, line 4: after that line insert:

INS A ✓

#. Page 1298, line 24: after that line insert:

INS B

#. Page ..., line ...: (end)

#. Page ..., line ...:

#. Page ..., line ...:

#. Page ..., line ...:

## 1999 SENATE BILL 120

April 21, 1999 - Introduced by Senators RISSER, DECKER, MOORE, ROESSLER, ROBSON, PLACHE and COWLES, cosponsored by Representatives POCAN, BERCEAU, BLACK, JOHNSRUD, BOYLE, TRAVIS, MILLER, COLON, GRONEMUS, BOCK, HUBER, RICHARDS, MUSSER, CARPENTER, RILEY, COGGS, LASSA and GROTHMAN. Referred to Committee on Insurance, Tourism, Transportation and Corrections.

1 **AN ACT to create** 13.0975 of the statutes; **relating to:** prison impact  
2 assessments.

---

### *Analysis by the Legislative Reference Bureau*

Current law provides that a fiscal estimate be prepared for most legislative bills. A fiscal estimate for a bill is prepared by the appropriate state agency. However, current law exempts a bill containing penalty provisions from this procedure if no other provision of the bill requires a fiscal estimate.

This bill provides that the director of state courts must provide a prison impact assessment for any bill or bill draft that creates a felony (crime punishable by imprisonment in the state prison system) or modifies the period of imprisonment for a felony. The director has 21 days in which to prepare the assessment, beginning with the date on which the director receives a copy of an introduced bill from the legislative reference bureau or the date on which the requester of the bill draft asks for the assessment, whichever occurs first. The assessment includes estimates of the population of prisoners, probationers, parolees and persons on extended supervision; a fiscal estimate regarding the impact on prison construction and operation; an analysis of the impact on prosecutors, the state public defender and the courts; and a description of the assumptions and methodologies that were used to prepare the assessment. The bill provides that no legislative action on the bill or bill draft may be taken until the assessment is prepared. In addition, the director must prepare a yearly total prison impact assessment. The department of corrections, the office of justice assistance in the department of administration and the circuit courts must help the director by providing him or her with relevant information.

**SENATE BILL 120**

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:*

<sup>97m</sup> SECTION 13.0975 of the statutes is created to read:

**13.0975 Prison impact assessments.** (1) In this section, "prison" means a state prison described under s. 302.01.

(2) The director of state courts shall prepare a prison impact assessment for any bill or, if requested, for any bill draft that creates a felony or modifies the period of imprisonment for a felony. Except as otherwise provided by the joint rules of the legislature, the director shall prepare the assessment within 21 calendar days after the date on which the director receives a copy of a bill under sub. (4) or the date on which the director receives a request to prepare the assessment from the requester of the bill draft, whichever occurs first. The assessment shall contain all of the following:

(a) Projections of the impact on statewide populations of prisoners, probationers, parolees, and persons on extended supervision.

(b) An estimate of the fiscal impact of population changes under par. (a) on state expenditures, including expenditures for the construction and operation of state prisons for the current fiscal year and the 5 succeeding fiscal years.

(c) An analysis of any significant factor, not covered in complying with pars. (a) and (b), affecting the cost of the bill or bill draft and the factor's impact on prosecutors, the state public defender, and courts.

(d) A statement of the methodologies and assumptions that the director used in preparing the assessment.

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SENATE BILL 120

1 (3) The legislature shall reproduce and distribute assessments under sub. (2) ✓  
2 in the same manner as it reproduces and distributes amendments.

3 (4) A bill draft that requires an assessment by the director of state courts under  
4 this section shall have that requirement noted on its jacket when the jacket is  
5 prepared. When a bill that requires an assessment under this section is introduced, ✓  
6 the legislative reference bureau shall submit a copy of the bill to the director.

7 (5) No public hearing before a standing committee may be held and no  
8 committee vote may be taken regarding any bill or bill draft described in sub. (2)  
9 unless the assessment under sub. (2) has been prepared. ✓

10 (6) Annually, by March 1, the director of state courts shall submit to the  
11 legislature under s. 13.172 (2) a prison impact assessment reflecting the cumulative ✓  
12 effect of all relevant changes in the statutes taking effect during the preceding  
13 calendar year.

14 (7) The department of corrections shall provide the director of state courts with  
15 information on current and past admissions and on length of time served as needed  
16 by the director in order to prepare assessments under subs. (2) and (6). ✓

17 (8) The circuit courts and the office of justice assistance in the department of  
18 administration shall provide the director of state courts with information to assist  
19 the director in preparing assessments under subs. (2) and (6). ✓

20 (9) This section applies to bills introduced or requests for assessments for bill  
21 drafts made on or after July 1, <sup>2002</sup> ~~2000~~.

22 SECTION 2. Nonstatutory provisions

(end ins A)

INS  
A  
cont

INSERT B

SENATE BILL 120

218c  
sentencing commission (CS)

B

- 1
- 2
- 3
- 4

" (1) TRANSFER OF RECORDS. The department of administration shall transfer all records of the sentencing commission to the director of state courts as soon as possible after the effective date of this subsection. =.

~~END~~

(end ins B)

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

60786  
LRB-23771dn  
JEO:mk:hmh

April 6, 1999

3 date

jld  
myf

Proposed s. 13.0975 (5)<sup>✓</sup> provides that no public hearing may be held and no committee vote taken on a bill requiring a prison impact assessment until the assessment is prepared. This provision creates a rule of procedure under article IV, section 8, of the constitution. The supreme court has held that the remedy for noncompliance with this type of provision lies exclusively within the legislative branch. See *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 363-369 (1983). In other words, while this type of provision may be effective to govern internal legislative procedure, the courts will not enforce the provision. In addition, if legislation is enacted using a procedure that contravenes the provision, the validity of the enactment is not affected.

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

md

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

LRBb0786/1dn  
MGD:jld:pg

June 16, 2001

Proposed s. 13.0975 (5) provides that no public hearing may be held and no committee vote taken on a bill requiring a prison impact assessment until the assessment is prepared. This provision creates a rule of procedure under article IV, section 8, of the constitution. The supreme court has held that the remedy for noncompliance with this type of provision lies exclusively within the legislative branch. See *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 363-369 (1983). In other words, while this type of provision may be effective to govern internal legislative procedure, the courts will not enforce the provision. In addition, if legislation is enacted using a procedure that contravenes the provision, the validity of the enactment is not affected.

Michael Dsida  
Legislative Attorney  
Phone: (608) 266-9867



**Dsida, Michael**

---

**From:** Dsida, Michael  
**Sent:** Sunday, June 17, 2001 11:04 AM  
**To:** Keckhaver, John  
**Subject:** RE: cn7522 -prison impact assessment

I realized this morning that of the dates I suggested as possibilities, only the date you selected made sense. Obviously, you can pick any date you think is appropriate, but I meant to suggest 1/1/03 (beginning of next legislative session) as one other option. I'm not sure what I was thinking with the other date.

In any event, I will use the 7/1/02 date. (No need to respond unless you have different instructions.)

> -----Original Message-----

> **From:** Keckhaver, John  
> **Sent:** Sunday, June 17, 2001 9:58 AM  
> **To:** Dsida, Michael  
> **Subject:** RE: cn7522 -prison impact assessment

>  
> Correct assumption on number 2, on number 1, July 1, 2002.

>  
> -----Original Message-----  
> **From:** Dsida, Michael  
> **Sent:** Saturday, June 16, 2001 3:15 PM  
> **To:** Keckhaver, John  
> **Cc:** Bauer Jr., Jere  
> **Subject:** cn7522 -prison impact assessment

>  
> 1. When do you want the legislature to begin complying with  
> this requirement? July 1, 2002? July 1, 2003? January 1, 2004?

>  
> 2. Jere Bauer had mentioned that the SDC was originally  
> looking at having DOC do the assessments (the approach taken  
> under 1999 SA1 to SB 120), not the director of state courts  
> (the approach taken under SB 120 itself). The motion,  
> however, refers to the director of state courts having that  
> responsibility. I'll assume that you want to stick with the  
> director of state courts unless you tell me otherwise.

**FISCAL ESTIMATE**

DA-2048 N(R10/98)

- ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.  
LRB-2377/1 SB 120

Amendment No. if Applicable

Subject Relating to prison impact assessments

**Fiscal Effect**

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget  Yes  No

- Increase Existing Appropriation       Increase Existing Revenues  
 Decrease Existing Appropriation       Decrease Existing Revenues  
 Create New Appropriation

Decrease Costs

Local:  No local government costs

1.  Increase Costs  
      Permissive       Mandatory  
 2.  Decrease Costs  
      Permissive       Mandatory

3.  Increase Revenues  
      Permissive       Mandatory  
 4.  Decrease Revenues  
      Permissive       Mandatory

5. Types of Local Governmental Units Affected:
- Towns       Villages       Cities  
 Counties       Others \_\_\_\_\_  
 School Districts       WTCS Districts

**Fund Sources Affected**

- GPR    FED    PRO    PRS    SEG    SEG-S

**Affected Ch. 20 Appropriations**

20.410 (1) (a)

**Assumptions Used in Arriving at Fiscal Estimate**

Under current law, state agencies are not required to prepare fiscal notes for bills containing penalty provisions if no other part of the bill requires a fiscal estimate. This bill requires that the director of state courts must provide a prison impact assessment for any bill or bill draft that creates a felony or modifies the period of imprisonment for a felony.

Under the provisions of this bill, the Department of Corrections is required to provide relevant information to the director of state courts to be used in preparation of the impact assessment. The information includes such items as statistics on admissions, length of sentence and time served. The department would also be required to provide information on population projections as well as expenditures for the construction and operation of state prisons.

The provisions of this bill would undoubtedly add to the workload of the department. The full extent of this increase is hard to determine, as the number of bills requiring a prison impact statement is not known. However, the type of information that the department would be required to provide would require data retrieval and analysis. The department estimates that it could perform these tasks with 1.00 FTE Research Analyst 6, who would be assigned to gather and interpret data as needed by the director of state courts. This FTE would cost the department \$55,400 annually in salary, fringe, and supplies and services. There would also be \$8,000 in one-time and start-up costs.

**Long-Range Fiscal Implications**

Agency/Prepared by: (Name & Phone No.)

Barbara Carlson - 266-9340

Department of Corrections

Authorized Signature/Telephone No.

*Robert Margolies*  
Robert Margolies - 266-2931

Date

April 30, 1999

**FISCAL ESTIMATE WORKSHEET**

1999 Session

Detailed Estimate of Annual Fiscal Effect  
DOA-2047 (R10/98)

ORIGINAL     UPDATED  
 CORRECTED     SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.  
LRB-2377/1 SB 120

Amendment No.

Subject **Relating to prison impact assessments**

I. **One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**  
\$8,000

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>		
State Operations - Salaries and Fringes	\$ 48,100	\$ -
(FTE Position Changes)	( 1.0 FTE)	(- FTE)
State Operations - Other Costs	\$ 7,300	-
Local Assistance		-
Aids to Individuals or Organizations		-
<b>TOTAL State Costs by Category</b>	<b>\$ 55,400</b>	<b>\$ -</b>
<b>B. State Costs by Source of Funds</b>	<b>Increased Costs</b>	<b>Decreased Costs</b>
GPR	\$ 55,400	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S		-
<b>State Revenues</b> Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	<b>Increased Rev.</b>	<b>Decreased Rev.</b>
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
<b>TOTAL State Revenues</b>	<b>\$</b>	<b>\$ -</b>

**NET ANNUALIZED FISCAL IMPACT**

	STATE	LOCAL
NET CHANGE IN COSTS	\$ 55,400	\$
NET CHANGE IN REVENUES	\$	\$

Agency/Prepared by: (Name & Phone No.) Department of Corrections Barbara Carlson 266-9340	Authorized Signature/Telephone No. <i>Robert Margolies</i> Robert Margolies - 266-2931	Date April 30, 1999
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ESTIMATE  
2048 N(R10/98)

ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

Prison Impact Assessments

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Existing Appropriation       Increase Existing Revenues  
 Decrease Existing Appropriation       Decrease Existing Revenues  
 Create New Appropriation

Increase Costs - May be possible to Absorb Within Agency's Budget       Yes       No  
 Decrease Costs

Local:  No local government costs

<p>Increase Costs</p> <p><input type="checkbox"/> Permissive      <input type="checkbox"/> Mandatory</p> <p>Decrease Costs</p> <p><input type="checkbox"/> Permissive      <input type="checkbox"/> Mandatory</p>	<p>3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive      <input type="checkbox"/> Mandatory</p> <p>4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive      <input type="checkbox"/> Mandatory</p>	<p>5. Types of Local Governmental Units Affected:</p> <p><input type="checkbox"/> Towns      <input type="checkbox"/> Villages      <input type="checkbox"/> Cities  <input type="checkbox"/> Counties      <input type="checkbox"/> Others _____  <input type="checkbox"/> School Districts      <input type="checkbox"/> WTCs Districts</p>
---	---	---

Sources Affected:  GPR     FED     PRO     PRS     SEG     SEG-S

Affected Ch. 20 Appropriations: 20.680(2)(a), 2(j)

Assumptions Used in Arriving at Fiscal Estimate

This bill requires the director of state courts to provide prison impact assessments on bills that create or modify a felony penalty. The director would have 21 days to provide the assessment and no legislative action on the bill would be allowed until the assessment is prepared. The assessment would include prisoner, probationer and parolee population estimates, fiscal estimates for prison construction and operation, the assumptions and methodologies used to prepare the assessment and the impact on prosecutors, the courts and the public defender. The director must also prepare an annual total prison impact assessment.

Since this office does not presently have the capability to do such assessments the following additional staff would be needed to develop methodologies and prepare the assessments:

2 Research Analysts	70,000
1/2 Clerk	13,300
Fringe Benefits	26,400
Sub Total	109,700

Change Fiscal Implications

Prepared by: (Name & Phone No.) Director of State Courts	Authorized Signature/Telephone No. 6-6284 <i>Sheryl Sewan</i>	Date 5/5/99
---	--	----------------

Supplies/Services	3,600
Equipment/Furniture (one-time)	16,500
Annual Total	113,300
One-time	16,500

To create the necessary statistical data base for monitoring the felony sentencing practices of circuit court judges two project positions would be necessary for approximately one year to assist the circuit court automation program (CCAP) in developing a program which would collect the necessary data. With the elimination of the Sentencing Commission the old records of the Commission would have to be reviewed in the effort. To maintain the database a permanent ½ time programmer would be needed. The following are the projected costs to CCAP:

2 Programmers (one year project positions)	90,000
Fringe Benefits	28,500
.5 Programmer (permanent in the second year)	22,500
Fringe Benefits	7,100
Supplies and Services	3,600
One-time costs	<u>21,000</u>
Annual Total	30,800
One-time Costs	141,900

**Dsida, Michael**

---

**From:** Hanaman, Cathlene  
**Sent:** Monday, June 18, 2001 12:38 PM  
**To:** Dsida, Michael  
**Subject:** FW: LRB 786/1 - CN 7522

and more...

-----Original Message-----

**From:** Keckhaver, John  
**Sent:** Monday, June 18, 2001 12:34 PM  
**To:** Hanaman, Cathlene; Ammerman, Fred  
**Subject:** LRB 786/1 - CN 7522

Funding of \$250,000 gpr should be provided as well as position authorization for director of state cts, per the fiscal note.

.680 (2)(a)	\$ 101,500	2.25
	\$ 113,300	<del>2.25</del> "
<u>Jere B</u>		
(j)	\$ 141,900	1.5 FTE
	\$ 70,800	1.5 project in 1st yr

Ⓟ



SDC:.....Keckhaver – CN7522 Prison impact assessment for bills that create a felony

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 substitute amendment as follows:

2 1. Page 7, line 4: after that line insert:

3 "SECTION 97m. 13.0975 of the statutes is created to read:

4 13.0975 Prison impact assessments. (1) In this section, "prison" means a  
5 state prison described under s. 302.01.

6 (2) The director of state courts shall prepare a prison impact assessment for  
7 any bill or, if requested, for any bill draft that creates a felony or modifies the period  
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1 which the director receives a request to prepare the assessment from the requester  
2 of the bill draft, whichever occurs first. The assessment shall contain all of the  
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7 expenditures, including expenditures for the construction and operation of state  
8 prisons for the current fiscal year and the 5 succeeding fiscal years.

9 (c) An analysis of any significant factor, not covered in complying with pars. (a)  
10 and (b), affecting the cost of the bill or bill draft and the factor's impact on  
11 prosecutors, the state public defender, and courts.

12 (d) A statement of the methodologies and assumptions that the director used  
13 in preparing the assessment.

14 (3) The legislature shall reproduce and distribute assessments under sub. (2)  
15 in the same manner as it reproduces and distributes amendments.

16 (4) A bill draft that requires an assessment by the director of state courts under  
17 this section shall have that requirement noted on its jacket when the jacket is  
18 prepared. When a bill that requires an assessment under this section is introduced,  
19 the legislative reference bureau shall submit a copy of the bill to the director.

20 (5) No public hearing before a standing committee may be held and no  
21 committee vote may be taken regarding any bill or bill draft described in sub. (2)  
22 unless the assessment under sub. (2) has been prepared.

23 (6) Annually, by March 1, the director of state courts shall submit to the  
24 legislature under s. 13.172 (2) a prison impact assessment reflecting the cumulative



1 effect of all relevant changes in the statutes taking effect during the preceding  
2 calendar year.

3 (7) The department of corrections shall provide the director of state courts with  
4 information on current and past admissions and on length of time served as needed  
5 by the director in order to prepare assessments under subs. (2) and (6).

6 (8) The circuit courts and the office of justice assistance in the department of  
7 administration shall provide the director of state courts with information to assist  
8 the director in preparing assessments under subs. (2) and (6).

9 (9) This section applies to bills introduced or requests for assessments for bill  
10 drafts made on or after July 1, 2002.”

*Insert 3-10 →*

11 2. Page 1298, line 24: after that line insert:

12 “(21c) TRANSFER OF SENTENCING COMMISSION RECORDS. The department of  
13 administration shall transfer all records of the sentencing commission to the director  
14 of state courts as soon as possible after the effective date of this subsection.”

*cs*

15 (END)

*Ins 3-14 →*

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0786/2ins  
MGD & RPN:jld:pg

1 insert 3-10:

2 1. Page 271, line 13: increase the dollar amount for fiscal year 2001-02 by  
3 \$101,500 and increase the dollar amount for fiscal year 2002-03 by \$113,300 to  
4 increase the authorized FTE positions for the supreme court<sup>✓</sup> by 2.25 GPR<sup>✓</sup> positions  
5 for the purpose of providing prison impact assessments of bills.

6 ~~2. Page 1354, line 22: after that line insert:~~

3-14 (7)  
7 <sup>C</sup>~~(1)~~ PRISON IMPACT ASSESSMENTS. The authorized FTE positions for the director  
8 of state courts are increased by 1.5 PR<sup>✓</sup> project positions for fiscal year 2001-02 and  
9 by 0.5 PR position<sup>✓</sup> for the purpose of providing prison impact assessments for bills.”.



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb07869  
MGD:jld:hmh

SDC:.....Keckhaver – CN7522 Prison impact assessment for bills that create a felony

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

3

*return from hold*

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 7, line 4: after that line insert:

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22 by 0.5 PR position for the purpose of providing prison impact assessments for bills.”.

23 (END)

*to be funded  
from the appropriation  
under section 20.680 (2)(d) of the statutes*

SDC:.....Keckhaver – CN7522 Prison impact assessment for bills that create a felony

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24 (END)