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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2001-02

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on ... Corrections and Courts (AC-CC)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (October 2011) ^{May-2012}

Appearances for Information Only

- None.

Registrations for

- Michael Moore, Council #1/WEAC
- Mark Reihl, WI State Council of Carpenters
- Joe Oswald, WI Laborers District Council
- Page Budhanar, Int'l Brotherhood of Electrical Workers
- Suzanne Zien, self (Eau Claire)
- Beverly Balthber, City of Eau Claire
- Paul Salm, Chippewa Co. Economic Development
- Jeff West, Momentum Chippewa Valley
- Erin Brandt, Eau Claire students
- Steven Stokke, self (Elk Mound)
- Rebecca Larson, Xcel Energy

Registrations against

- None.

February 7, 2001

EXECUTIVE SESSION

Present: (7) Representatives Walker, Suder, Friske,
Underheim, Balow, Coggs and Pocan.
Absent: (3) Representatives Owens, Skindrud and Colon.

Moved by Representative Underheim, seconded by Representative Balow, that **LRB a0104/2** be recommended for introduction.

Ayes: (7) Representatives Walker, Suder, Friske,
Underheim, Balow, Coggs and Pocan.
Noes: (0) None.
Absent: (3) Representatives Owens, Skindrud and Colon.

INTRODUCTION RECOMMENDED, Ayes 7, Noes 0, Absent 3

Moved by Representative Balow, seconded by Representative Underheim, that **LRB a0104/2** be recommended for adoption.

Ayes: (7) Representatives Walker, Suder, Friske,
Underheim, Balow, Coggs and Pocan.
Noes: (0) None.
Absent: (3) Representatives Owens, Skindrud and Colon.

ADOPTION RECOMMENDED, Ayes 7, Noes 0, Absent 3

Moved by Representative Underheim, seconded by Representative Balow, that **LRB a0126/3** be recommended for introduction.

Ayes: (7) Representatives Walker, Suder, Friske,
Underheim, Balow, Coggs and Pocan.

Noes: (0) None.

Absent: (3) Representatives Owens, Skindrud and Colon.

INTRODUCTION RECOMMENDED, Ayes 7, Noes 0, Absent 3

Moved by Representative Balow, seconded by Representative Underheim, that **LRB a0126/3** be recommended for adoption.

Ayes: (7) Representatives Walker, Suder, Friske,
Underheim, Balow, Coggs and Pocan.

Noes: (0) None.

Absent: (3) Representatives Owens, Skindrud and Colon.

ADOPTION RECOMMENDED, Ayes 7, Noes 0, Absent 3

Moved by Representative Underheim, seconded by Representative Balow, that **LRB a0130/1** be recommended for introduction.

Ayes: (7) Representatives Walker, Suder, Friske,
Underheim, Balow, Coggs and Pocan.

Noes: (0) None.

Absent: (3) Representatives Owens, Skindrud and Colon.

INTRODUCTION RECOMMENDED, Ayes 7, Noes 0, Absent 3

Moved by Representative Balow, seconded by Representative Underheim, that **LRB a0130/1** be recommended for adoption.

Ayes: (7) Representatives Walker, Suder, Friske,
Underheim, Balow, Coggs and Pocan.

Noes: (0) None.

Absent: (3) Representatives Owens, Skindrud and Colon.

ADOPTION RECOMMENDED, Ayes 7, Noes 0, Absent 3

Moved by Representative Underheim, seconded by Representative Balow, that **LRB a0144/1** be recommended for introduction.

Ayes: (7) Representatives Walker, Suder, Friske,
Underheim, Balow, Coggs and Pocan.
Noes: (0) None.
Absent: (3) Representatives Owens, Skindrud and Colon.

INTRODUCTION RECOMMENDED, Ayes 7, Noes 0, Absent 3

Moved by Representative Balow, seconded by Representative Underheim, that **LRB a0144/1** be recommended for adoption.

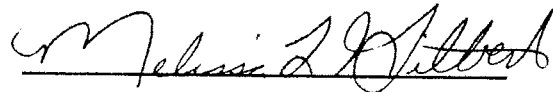
Ayes: (7) Representatives Walker, Suder, Friske,
Underheim, Balow, Coggs and Pocan.
Noes: (0) None.
Absent: (3) Representatives Owens, Skindrud and Colon.

ADOPTION RECOMMENDED, Ayes 7, Noes 0, Absent 3

Moved by Representative Balow, seconded by Representative Suder, that **Assembly Bill 42** be recommended for passage as amended.

Ayes: (6) Representatives Walker, Suder, Friske,
Underheim, Balow and Pocan.
Noes: (1) Representative Coggs.
Absent: (3) Representatives Owens, Skindrud and Colon.

PASSAGE AS AMENDED RECOMMENDED, Ayes 6, Noes 1,
Absent 3



Committee Clerk

Vote Record

Assembly - Committee on Corrections and the Courts

Date: 2/7/01
 Moved by: Balow Seconded by: Suder

AB: 42 SB: _____
 Clearinghouse Rule: _____
 Appointment: _____
 AR: _____ SR: _____
 Other: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage *as amended*
 - Introduction
 - Adoption
 - Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Rick Skindrud	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Totals: 6 1 3 0

Motion Carried

Motion Failed

Vote Record

Assembly - Committee on Corrections and the Courts

Date: 2/7/01
 Moved by: unanimous consent Seconded by: _____
 Clearinghouse Rule: _____
 AB: 42 SB: _____ Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 AR: _____ SR: _____

A/S Amdt: a0104/2
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Rick Skindrud	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Totals: 7 0 3 0

Motion Carried

Motion Failed

Vote Record

Assembly - Committee on Corrections and the Courts

Date: 2/7/01
 Moved by: Balow Seconded by: Underheim
 AB: 42 SB: _____ Clearinghouse Rule: _____
 AJR: _____ SJR: _____ Appointment: _____
 AR: _____ SR: _____ Other: _____

A/S Amdt: a0104/2
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- | | |
|--|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

Committee Member	Aye	No	Absent	Not Voting
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Rick Skindrud	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>7</u>	<u>0</u>	<u>3</u>	<u>0</u>

Vote Record

Assembly - Committee on Corrections and the Courts

Date: 2/7/01
 Moved by: Unanimous consent Seconded by: _____
 AB: 42 SB: _____ Clearinghouse Rule: _____
 AJR: _____ SJR: _____ Appointment: _____
 AR: _____ SR: _____ Other: _____

A/S Amdt: a012613
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- | | |
|---|--|
| <input type="checkbox"/> Passage
<input checked="" type="checkbox"/> Introduction
<input type="checkbox"/> Adoption
<input type="checkbox"/> Rejection | <input type="checkbox"/> Indefinite Postponement
<input type="checkbox"/> Tabling
<input type="checkbox"/> Concurrence
<input type="checkbox"/> Nonconcurrence
<input type="checkbox"/> Confirmation |
|---|--|

Committee Member	Aye	No	Absent	Not Voting
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Rick Skindrud	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>7</u>	<u>0</u>	<u>3</u>	<u>0</u>

Motion Carried

Motion Failed

Vote Record

Assembly - Committee on Corrections and the Courts

Date: 2/7/01
 Moved by: Balow Seconded by: Underheim
 AB: 42 SB: _____ Clearinghouse Rule: _____
 AJR: _____ SJR: _____ Appointment: _____
 AR: _____ SR: _____ Other: _____

A/S Amdt: a012613
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- | | |
|--|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

Committee Member	Aye	No	Absent	Not Voting
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Rick Skindrud	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>7</u>	<u>0</u>	<u>3</u>	<u>0</u>

Vote Record

Assembly - Committee on Corrections and the Courts

Date: 2/7/01
 Moved by: unanimous consent Seconded by: _____
 Clearinghouse Rule: _____
 AB: 42 SB: _____ Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 AR: _____ SR: _____

A/S Amdt: a0130/1
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- | | |
|--|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input checked="" type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Rick Skindrud	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>7</u>	<u>0</u>	<u>3</u>	<u>0</u>

Motion Carried

Motion Failed

Vote Record

Assembly - Committee on Corrections and the Courts

Date: 2/7/01
 Moved by: Balow Seconded by: Underheim

AB: 42 SB: _____
 Clearinghouse Rule: _____
 Appointment: _____
 AR: _____ SR: _____
 Other: _____

A/S Amdt: a 013011
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection
 - Indefinite Postponement
 - Tabling
 - Concurrence
 - Nonconcurrence
 - Confirmation

Committee Member	Aye	No	Absent	Not Voting
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Rick Skindrud	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Totals: 7 0 3 0

Vote Record

Assembly - Committee on Corrections and the Courts

Date: 2/7/01
 Moved by: unanimous consent Seconded by: _____
 Clearinghouse Rule: _____
 Appointment: _____
 Other: _____

AB: 42 SB: _____
 AJR: _____ SJR: _____
 AR: _____ SR: _____

A/S Amdt: a 0144/1
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection
 - Indefinite Postponement
 - Tabling
 - Concurrence
 - Nonconcurrence
 - Confirmation

Committee Member	Aye	No	Absent	Not Voting
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Rick Skindrud	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>7</u>	<u>0</u>	<u>3</u>	<u>0</u>

Vote Record

Assembly - Committee on Corrections and the Courts

Date: 2/7/01
 Moved by: Balow Seconded by: Underheim
 AB: 42 SB: _____ Clearinghouse Rule: _____
 AJR: _____ SJR: _____ Appointment: _____
 AR: _____ SR: _____ Other: _____

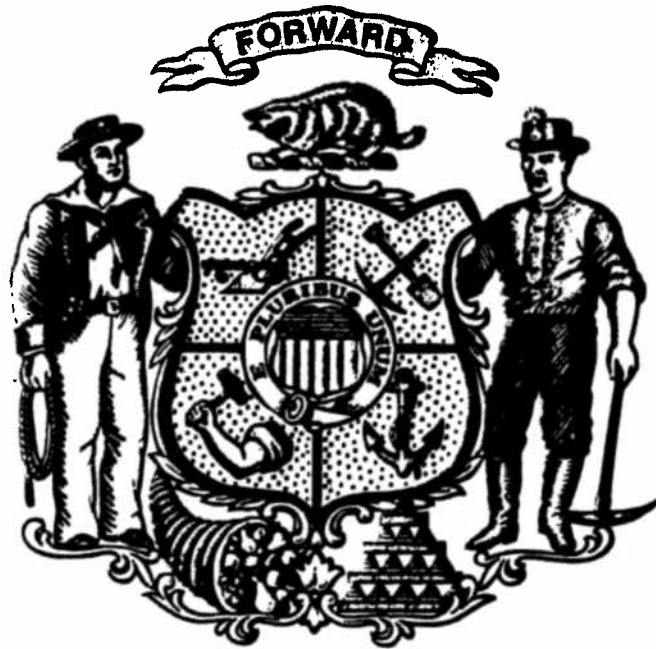
A/S Amdt: a0144/1
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- | | |
|--|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrency |
| | <input type="checkbox"/> Confirmation |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Scott Walker, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Scott Suder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Friske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Carol Owens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Rick Skindrud	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Larry Balow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. G. Spencer Coggs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Mark Pocan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Pedro Colon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Totals: 7 0 3 0



Reiman, Greg

From: Carey, Raymond R. (Madison) [RCarey@foleylaw.com]
Sent: Monday, January 29, 2001 3:35 PM
To: 'scott.walker@legis.state.wi.us'
Subject: Stanley

Follow Up Flag: Follow up
Flag Status: Flagged

Scott,

After thinking about it, it's probably not a good idea to upset Sen. Jauch by eliminating the provision that automatically enumerates a prison leased by the Building Commission (I didn't speak with him about it). I would still very much like to specifically enumerate Stanley, however. Would you be willing to introduce an amendment to your bill that amends § 303.01 to read: The penitentiary near Stanley is named "Stanley Correctional Institution" I don't think this raises any liability or similar issues because the Governor has already signed an Agreement to Lease the facility. In addition, an occupancy agreement is already in effect (and a warden has been named).

Thanks.

Ray

AB 42
file





AB 42
file

**DISTRICT 1199W/UNITED
PROFESSIONALS FOR QUALITY HEALTH
CARE, SEIU, AFL-CIO, CLC**

**Testimony before the
Assembly Committee on
CORRECTIONS AND THE COURTS**

January 31, 2001

District 1199W/United Professionals for Quality Health Care, SEIU, AFL-CIO, CLC represents 3,500 health care workers throughout the State of Wisconsin. The District represents over 900 state employees, including over 100 health care workers in numerous facilities within the Department of Corrections.

The severe over-crowding in our state's prison facilities is common knowledge. The fact that there are hundreds of Wisconsin inmates currently in out-of-state prisons is also well known. Clearly, the need for more prison space in Wisconsin must be addressed.

District 1199W/UP supports the opening of the Stanley prison as a means of alleviating some of this over-crowding. However, we believe it is imperative that permanent, state employees be used in all areas of its operation, including health care.

After a decade of being ignored, there has been a great deal of publicity surrounding the delivery of health care within the Department of Corrections during the past several months. When the death of Michelle Greer first hit the newspapers, the Department of Corrections preferred to call it an isolated incident and tried to lay the sole responsibility on two (2) nurses. Subsequent investigations and the tireless work of our members showed that the problems ran much deeper. Health care in the Department of Corrections was in crisis. The concerns our members had been raising

for years could no longer be ignored. The time to deal with these problems had come.

In the past several months this District has worked with many legislators and the Department to address the issues plaguing health care delivery. Our members participated in a two (2) day Health Care Seminar set up by the Department. We were actively involved with the Nurses' Summit on Inmate Health Care organized by the Wisconsin Nurses' Federation and supported by the Department. We have met with some of you and other legislators. We have met many times with Secretary Litscher. I am very happy to report that the Health Services Unit at Taycheedah has now stabilized and is functioning at a minimally adequate level for the first time in years. We are currently working very closely with the Department to resolve some critical issues at Fox Lake and Dodge. Other facilities are on our agenda.

I tell you this because many of you listened to our concerns and have supported our efforts to meet the legal and moral obligations this state has to provide decent health care to those incarcerated in Wisconsin prisons. That support and concern is making a difference.

This new working relationship between the Department of Corrections and District 1199W/UP has improved the delivery of adequate health care to the men, women, and children housed in Wisconsin's prison system. However, we have a long way to go.

Our members are dedicated professionals, trying to do the best job they can under what have been almost impossible circumstances. Our members provide quality health care services at an affordable price. Each and every member is held accountable directly to the Department and the State of Wisconsin for what they do.

This level of accountability and dedication cannot be achieved through contracted health care. Ask yourselves what would have happened if the Greer death had occurred at Boscobel or Prairie du Chien where health care is currently provided by private contract. Who would have been the voice of concern for a system in chaos? How many more inmates would have

died before anything was done? How many more law suits would the state be litigating?

According to the fiscal note attached to the 1999 SB-277, it is currently costing the State of Wisconsin over \$455,000 more every year to contract health care at Boscobel. What are the taxpayers of Wisconsin getting for this money? Where is the accountability? How do we know if adequate health care is being delivered?

You have seen the statistics. The number of inmates with highly contagious diseases such as Hepatitis C, Tuberculosis, and HIV continues to rise. Most of these inmates will return to the communities from which they came. It is imperative that treatment and education for managing these diseases be provided to reduce the dangers to the citizens in those communities. Effective treatment and education for diabetes, asthma, hypertension, mental illness and many other diseases will determine whether these inmates become productive members of society in the future or continue to drain taxpayer dollars. We cannot afford to leave the delivery of these health care services in the hands of people with little, if any, accountability.

I am here today to urge you to make certain that quality health care be provided in a cost efficient manner. In doing so, you will find that permanent state employees will offer the most dedicated, professional services at a reasonable cost and be fully accountable to the state for those services. Therefore, whether you are considering the opening of the prison at Stanley or the overall delivery of health care in the Department of Corrections, we ask that every DOC Health Services Unit be staffed by permanent employees of this state.

Please direct any questions, comments, or concerns to LeNore Wilson, Senior Staff Representative/Organizer for District 1199W/UP, 2001 W. Beltline Hwy., Suite 201, Madison, WI 53713 (608) 277-1199



AB 42
folder

✓
Feb 4, 2001

FEB 07 2001
redyent-3/2001

Representative Scott Walker

I am writing in regard to opening of the prison at Stanley, Wisconsin, Do you realize the hardship it is on the families of a inmate sent out of state, Our son was sent to Whiteville, Tenn - over 2 years ago, its around 1700 miles or more round trip, one can only visit weekends, The inmates need to have visits with family, Do you realize what the cost of gas & rooms are? Its more then most people can afford, also the travel time it takes, phone calls are expensive around 75¢ a minute, I do think we should keep our money in Wisconsin and also our inmates - open up the prison at Stanley, send our people home, and our son closer to home. The cost of shipping & keeping inmates out of state costs more then if this prison was opened - Keep the taxpayers money here - Open the prison at Stanley, WI & send our son Andrew A. Peterson there - Thank you

Best Sincerely

Art's Jane Peterson

N 13971 Cty. Rd. 0

Withee, WI 54498



MEMO

TO: Assembly Committee on Corrections and the Courts

FROM: Rep. Scott Walker, Chair

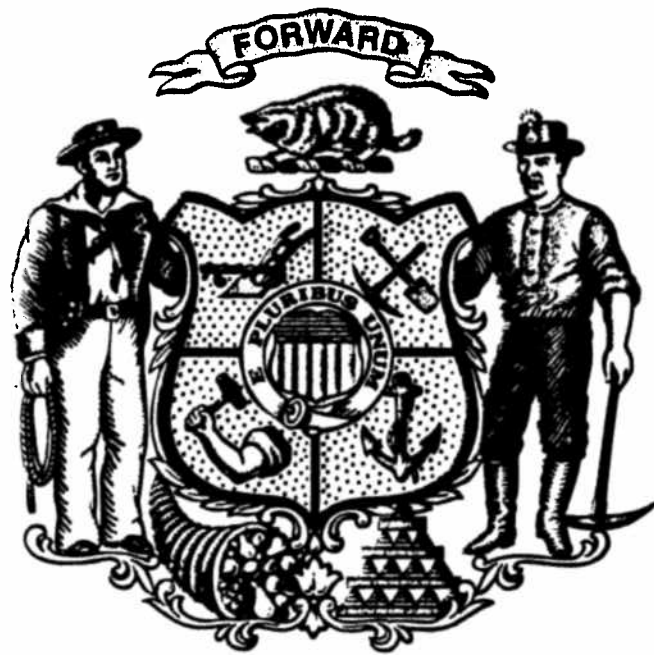
DATE: Feb. 6, 2001

RE: Legislative Council memo and revised amendments

The attached amendments were submitted to my office prior to 10 a.m. this morning by Rep. Balow and thus met the 24-hour rule. Both are redrafts of amendments previously distributed to committee members. Consequently, I asked our Legislative Council attorney, Anne Sappenfield, to examine these changes and incorporate them into her memo on AB 42. That memo is enclosed for your review.

If you have any questions, please call my office at 266-9180.

Thank you.



Scott McCallum
Governor

Jon E. Litscher
Secretary



Mailing Address

149 East Wilson Street
Post Office Box 7925
Madison, WI 53707-7925
Telephone (608) 266-2471
Fax (608) 267-3661

State of Wisconsin Department of Corrections

Date: February 6, 2001

To: Robert Nikolay, Director
Bureau of Budget and Facilities Management

From: Colleen Godfriaux, Budget and Policy Analyst
Bureau of Budget and Facilities Management

RE: Amendment to AB 42 –LRB 0104/1

Current Law

Current law permits the department to contract for medical services, or to provide such services with civil service employees. At this time, the department provides most primary care medical services to both adults and juveniles through the state civil service system. Three institutions, Prairie du Chien (PDC), Supermax (SMAX) and Redgranite Correctional Institution (RGCI) have primary care medical services provided through contracts. The department has an ongoing contract with the University of Wisconsin Hospital and Clinics Authority (UWHCA). The UWHCA contract provides specialty care, such as surgery and consultations.

This amendment (LRB 0104/1) requires the department to provide primary medical care to prisoners exclusively through DOC employees.

Division of Adult Institutions

In the Division of Adult Institutions, most primary care is provided through DOC employees. There are some medical services provided through contract employees. These usually occur as fill-ins when additional staff is needed on a temporary basis due to vacancies, medical leaves, vacations, or workload issues. Since many of these situations are temporary, it is difficult to assess the cost to the department on an annualized basis.

As mentioned earlier, the department has three institutions with medical services provided by contract staff, rather than by state civil servants. These are PDC, SMAX and RGCI. As this bill “first applies to contracts entered into, or extended, modified, or renewed, on August 1, 2001, or on the effective date of this subsection, whichever is later”, there would be no change in cost for FY01 or FY02 because these three contracts would already be established. The PDC contract will end 6/30/02. The SMAX contract will be up for renewal starting 11/1/02. The RGCI contract is up for renewal starting 1/1/03.

Using annualized costs for FY02, some fiscal comparison can be made, using a direct comparison of staff provided in the contract versus the same positions if staffed as DOC employees. These three contracts include provision of variable non-food-health items, which include all pharmaceuticals, as well as off-site care when needed for emergency treatment or surgery. In order to provide an accurate comparison, the amount that the state budgets for

variable healthcare costs has been added to the salary and fringe costs of staffing the contracted facilities with DOC employees.

Prairie du Chien

The amount for the PDC contract in FY02 is \$724,700. In addition, the state pays approximately \$29,200 for a nursing consultant to monitor that contract, bringing the total cost to contract at PDC to \$753,900. Using the same staffing pattern as the contractor, the state would pay \$976,100 on an annualized basis, using state employees and including variable health costs. Both the contract and DOC cost estimates assumed an average daily population of 300.

In a fiscal note that the department submitted during the last legislative session regarding SB 277, the department stated that "using a direct comparison of staff provided in the contract vs. the same positions if funded by the state" the PDC contract cost was \$657,500 versus \$783,300 for state staff. The earlier fiscal estimate indicated it would cost \$126,000 more using state employees. The difference between that analysis and the analysis presented here is that the hourly wages for almost all of these positions have increased significantly since that analysis, with increases as high as \$17.40 per hour.

Supermax

The amount for the SMAX contract in FY02 is \$1,204,000. In addition, the state pays approximately \$29,200 for a nursing consultant to monitor that contract, bringing the total cost to contract at SMAX to \$1,233,200. With the addition of a .25 FTE Dental Hygienist to the staffing used by the contractor, the state would pay \$1,344,900 on an annualized basis, using state employees and including variable health costs for an average daily population of 350 to operate SMAX health.

In a fiscal note that the department submitted during the last legislative session regarding SB 277, the department stated that "using a direct comparison of staff provided in the contract vs. the same positions if funded by the state" that the SMAX contract cost was \$1,805,500 versus costing \$1,350,000 utilizing state staff". The earlier analysis stated that costs would decrease by \$455,500 if SMAX was staffed with state employees. The difference between that analysis and the analysis presented here can be explained by several factors. The earlier fiscal estimate used a population of 450, resulting in a contract cost of \$1,805,500 instead of the current contract estimation of \$1,204,000, which uses a population of 350. The use of different ADPs also affects the staffing levels used in the two estimates. While the number of staff utilized for a population of 450 is more than that for a population of 350, with the increase in wages for healthcare staff, the projected cost for staffing SMAX with DOC employees remained virtually the same.

Redgranite

The amount for the RGCI contract in FY02 is \$2,115,200. In addition, the state pays approximately \$29,200 for a nursing consultant to monitor that contract, bringing the total cost to contract at RGCI to \$2,144,400. With a .25 FTE Dental Hygienist and funds for a 6 hours of psychiatry added to the staffing used by the contractor, the state would pay \$2,161,800 on an annualized basis, using state employees and including variable non-food (health) costs for an average daily population of 750 to operate RGCI health.

Division of Community Corrections

In the Division of Community Corrections, only two facilities utilize contract nurses for more than 20 hours. The Drug Abuse Correctional Center utilizes 48 hours per week in contract nurse services. Approximately \$88,700 is spent annually for these services. As state employees, it would cost the department approximately \$74,200 for these 1.20 FTE Nurse Clinicians. The John Burke Correctional Center (JBCC) utilizes 32 hours per week in contract nurse services. When the JBCC was converted and state health care staff was added, it was decided to continue utilizing the contract nurse. That specific contracted nurse will soon become a state employee. Approximately \$49,920 is spent annually for the 32 hours of contracted services. The state would pay \$49,500 for the equivalent .80 FTE Nurse Clinician as a state employee.

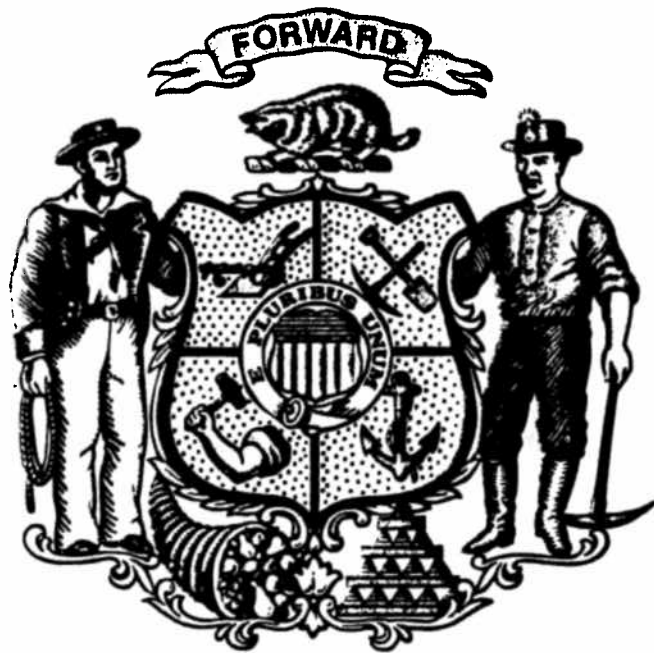
Summary

Table 1 summarizes the difference in cost of contracting for healthcare versus providing healthcare with state staff.

Table 1: Contracted Versus State Operated Healthcare

	FY02
Contracted Cost	
PDC	\$ 753,900
SMAX	\$ 1,233,200
RGCI	\$ 2,144,400
WCCS	\$ 138,619
	<hr/>
	\$ 4,270,119
State Operated Cost	
PDC	\$ 976,100
SMAX	\$ 1,344,900
RGCI	\$ 2,161,800
WCCS	\$ 123,600
	<hr/>
	\$ 4,606,400

cc: Lucie Widzinski-Pollock
Sharon Zunker





Scott McCallum
Governor

Jon E. Litscher
Secretary

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State of Wisconsin Department of Corrections

Date: February 12, 2001
To: Jon Litscher, Secretary
From: Bob Nikolay, Director
Bureau of Budget and Facilities Management
Division of Management Services
RE: Correction to 1999 SB 277 fiscal note

AB 42
file

The fiscal note that was submitted by the Department on October 9, 1999 regarding 1999 SB 277 (the Stanley bill from the previous session) contains a miscalculation that could lead to erroneous conclusions. In that bill, the department was to estimate the fiscal impact of providing primary medical care to prisoners exclusively through DOC employees.

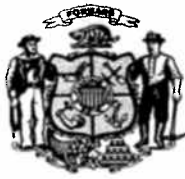
That fiscal note stated that "The total amount of the Supermax contract is \$1,805,500...for an average daily population (ADP) of 450". There was an error in the calculation that produced the \$1,805,500 figure. The correct figure for an ADP of 450 for the Supermax contract should have been \$1,353,400.

The Supermax contract with the health care provider has varying rates based upon the number of inmates at the institution. If the number of inmates is less than 400, then the total cost is composed of a fixed monthly fee plus a per inmate per day (PIPD) rate. If the number of inmates at the institution is above 400, there is only a PIPD rate to be paid by the Department that varies by the number of inmates. The fiscal note estimate prepared by the Department in October 1999 assumed an ADP of 450, but erroneously added the fixed monthly fee that is in effect only if the ADP was less than 400.

The estimate stated that it would cost \$1,350,000 to provide healthcare using state staff. Using the incorrect contract cost, the estimate concluded that it costs the state \$455,500 more per year to provide healthcare through contracted services instead of employing state employees. With the corrected numbers in place and an ADP of 450, this estimate should have shown that the state in fact saves approximately \$3,420 per year utilizing contracted healthcare services.

cc: Cindy Archer, DMS
Colleen Godfriaux, DMS/BBFM
Robert Margolies, Legislative Liaison
Robert Nikolay, DMS/BBFM
Jessica O'Donnell, Executive Assistant
Lucie Widzinski-Pollock, BBFM
Sharon Zunker, BHS





Scott McCallum
Governor

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State of Wisconsin
Department of Corrections

Date: February 13, 2001

To: Robert Nikolay, Director
Bureau of Budget and Facilities Management

From: Colleen Godfriaux, Budget and Policy Analyst
Bureau of Budget and Facilities Management

RE: Health Care Cost Comparison

AB 42
file

Current law permits the department to contract for medical services, or to provide such services with civil service employees. At this time, the department provides most primary care medical services to both adults and juveniles through the state civil service system. Three institutions, Prairie du Chien (PDC), Supermax (SMAX) and Redgranite Correctional Institution (RGCI) have primary care medical services provided through contracts. The department has an ongoing contract with the University of Wisconsin Hospital and Clinics Authority (UWHCA). The UWHCA contract provides specialty care, such as surgery and consultations.

Using annualized costs for FY02, some fiscal comparison can be made, using a direct comparison of staff provided in the contract versus the same positions if staffed with DOC employees. These three contracts include provision of variable non-food-health items, which include all pharmaceuticals, as well as off-site care when needed for emergency treatment or surgery. In order to provide an accurate comparison, the amount that the state budgets for variable healthcare costs has been added to the salary and fringe costs of staffing the contracted facilities with DOC employees.

Prairie du Chien

The amount for the PDC contract in FY02 is \$724,700. In addition, the state pays approximately \$29,200 for a nursing consultant to monitor that contract, bringing the total cost to contract at PDC to \$753,900. Using the same staffing pattern as the contractor, the state would pay \$976,100 on an annualized basis, using state employees and including variable health costs. Both the contract and DOC cost estimates assumed an average daily population of 300.

Supermax

The amount for the SMAX contract in FY02 is \$1,204,000. In addition, the state pays approximately \$29,200 for a nursing consultant to monitor that contract, bringing the total cost to contract at SMAX to \$1,233,200. With the addition of a .25 FTE Dental Hygienist to the staffing used by the contractor, the state would pay \$1,344,900 on an annualized basis, using state employees and including variable health costs for an average daily population of 350 to operate SMAX health.

Redgranite

The amount for the RGCI contract in FY02 is \$2,115,200. In addition, the state pays approximately \$29,200 for a nursing consultant to monitor that contract, bringing the total cost to contract at RGCI to \$2,144,400. With a .25 FTE Dental Hygienist and funds for a 6 hours of psychiatry added to the staffing used by the contractor, the state would pay \$2,161,800 on an annualized basis, using state employees and including variable non-food (health) costs for an average daily population of 750 to operate RGCI health.

Attached is a chart summarizing the cost comparison between contracting for healthcare versus utilizing state employees.

cc: Lucie Widzinski-Pollock, BOBFM
Sharon Zunker, BHS
Cindy Archer, DMS
Jessica O'Donnell, OS
Jon E. Litscher, OS
Dick Verhagen, DAI
Steve Casperson, DAI
Robert Margolies, OS

Health Care Per Year Comparison

Inst	ADP	Contracted Cost	State Operated Cost	Difference/ Savings by Contracting
PDC	300	\$753,900	\$976,100	\$222,200
SMAX	350	\$1,233,200	\$1,344,900	\$111,700
RGCI	750	\$2,144,400	\$2,161,800	\$17,400
TOTAL		\$4,131,500	\$4,482,800	\$351,300



Assembly Republican Majority Bill Summary

AB 42: Stanley Prison Bill

Date: February 14, 2001

BACKGROUND

Under current law, as part of an authorized state building program, the building commission may lease any facility, with an option to purchase the facility by the state, for use the Department of Corrections (DOC).

Currently, DOC does not utilize this statute to lease facilities, and no moneys are appropriated under this provision.

Additionally, the state may contract with public or private out-of-state facilities to hold Wisconsin inmates but may not contract with private in-state prisons.

In order to alleviate severe overcrowding in existing state institutions, Wisconsin now houses nearly one quarter of its approximately 20,000 inmates in federal and private facilities in Minnesota, Tennessee, Oklahoma and Mississippi (although the DOC plans to cease using the latter facility in the near future). As of Friday, Feb. 2, the Wisconsin prison system housed a total adult inmate population of 20,130 in in-state and out-of-state facilities with a combined operating capacity of 16,702 persons.

Many inmates and their relatives and friends complain that out-of-state placement causes undue hardship and hinders rehabilitation by making prison visitation difficult and sometimes impossible.

Additionally, by sending prisoners to other states, Wisconsin also exports jobs and tax dollars. The state spends about \$200,000 per day to house inmates elsewhere.

A similar version of this legislation cleared the Assembly in 1999 by a vote of 94-3 but stalled in the Senate, where Democrats refused to hold even a public hearing on the bill. Rep. Walker has worked with members of that party to address concerns about the process through which correctional facilities can be constructed (see bill summary and amendments below).

SUMMARY OF AB 42 (AS AMENDED BY COMMITTEE)

Assembly Bill 42 repeals that portion of the statutes that appropriates funds for rental payments on any correctional facility pursuant to a lease entered into by the building commission and allows DOC to lease and operate correctional facilities in this state with moneys from another existing appropriation. Essentially, this bill facilitates the leasing and operation of speculatively constructed correctional facilities in Wisconsin. Any such facility must meet the requirements and specifications approved by the Department of Administration (DOA) and permit inspection of the site and facility by DOA.

The bill additionally imposes two conditions on private persons who wish to commence construction of a correctional facility or conversion of an existing structure into a correctional facility. The building commission must first authorize the lease or acquisition of the facility or approve the construction or conversion. The private person must also agree to comply with the prevailing wage requirements that currently apply to state and local public works projects.

As amended, the bill requires the DOC to provide primary health care (including mental health care) services exclusively through public employees. This requirement applies to any prison that provides primary care at least 20 hours per week on a regular basis. Existing contracts with private providers may not be renewed or extended beyond July 1, 2002.

As amended, the bill also prohibits the Building Commission from leasing, authorizing the lease of, or acquiring a facility for use by the DOC unless construction began before October 1, 1999 (the Stanley prison), or unless the facility has been enumerated in the authorized state building program. Furthermore, the amendment prohibits any person from commencing construction of or conversion into a correctional facility (including a juvenile facility) prior to enumeration of the facility in the authorized state building program. This prohibition does not apply in the following three instances: 1) the facility has been constructed or converted under a contract with and for use by a county, two counties cooperatively establishing a jail or rehabilitation facility, the federal government or a tribal government; 2) the facility is constructed or converted under a contract with DOC if that contract was entered into before the enactment date of this bill; or 3) the construction began before October 1, 1999 and the facility was designed to hold inmates. Additionally, the bill clarifies that the DOC may not lease a facility unless construction began or the building was enumerated before October 1, 1999. Also, the bill limits the number of counties that may cooperatively establish and use a jail or rehabilitation facility to two.

As amended, the bill no longer permits DOC to request that the Joint Committee on Finance supplement its budget for the purpose of staffing a leased correctional facility without a finding of emergency.

Finally, as amended, the bill names the prison constructed near Stanley, Wisconsin, the Stanley Correctional Institution.

AMENDMENTS

Assembly Amendment 1 to Assembly Bill 42 requires the DOC to provide primary health care (including mental health care) services exclusively through public employees. This requirement applies to any prison that provides primary care at least 20 hours per week on a regular basis. Existing contracts with private providers may not be renewed or extended beyond July 1, 2002. [adopted 7-0 (Reps. Owens, Skindrud and Colon were absent)].

Assembly Amendment 2 to Assembly Bill 42 prohibits the Building Commission from leasing, authorizing the lease of, or acquiring a facility for use by the DOC unless construction began before October 1, 1999 (the Stanley prison), or unless the facility has been enumerated in the authorized state building program. Furthermore, the amendment prohibits any person from commencing construction of or conversion into a correctional facility (including a juvenile facility) prior to enumeration of the facility in the authorized state building program. This prohibition does not apply in the following three instances: 1) the facility has been constructed or converted under a contract with and for use by a county, two counties cooperatively establishing a jail or rehabilitation facility, the federal government or a tribal government; 2) the facility is constructed or converted under a contract with DOC if that contract was entered into before the enactment date of this bill; or 3) the construction began before October 1, 1999 and the facility was designed to hold inmates. Additionally, the bill clarifies that the DOC may not lease a facility unless construction began or the building was enumerated before October 1, 1999. Also, the bill limits the number of counties that may cooperatively establish and use a jail or rehabilitation facility to two. [adopted 7-0 (Reps. Owens, Skindrud and Colon were absent)]

Assembly Amendment 3 to Assembly Bill 42 no longer permits DOC to request that the Joint Committee on Finance supplement its budget for the purpose of staffing a leased correctional facility without a finding of emergency. [adopted 7-0 (Reps. Owens, Skindrud and Colon were absent)]

Assembly Amendment 4 to Assembly Bill 42 names the prison constructed near Stanley, Wisconsin, the Stanley Correctional Institution. [adopted 7-0 (Reps. Owens, Skindrud and Colon were absent)]

Assembly Amendment 5 (offered by Balow at the request of Chvala?) to Assembly Bill 42 eliminates the second exception listed under Assembly Amendment 2. In other words, without enumeration in the authorized state building program, a person could not begin the construction of conversion to a correctional facility, even if that person entered into a contract with DOC prior to effective date of this bill. The only exceptions are 1) for facilities constructed or converted under a contract with and for use by counties, the federal government or an American Indian tribe or band in this state; or 2) for correctional facilities for which construction began before October 1, 1999.

Assembly Amendment 6 (offered by Walker?) to Assembly Bill 42 narrows the primary health care provision outlined in Assembly Amendment 1, so that the requirement to use public employees applies only to leased facilities.

FISCAL EFFECT

A fiscal estimate prepared by the Department of Corrections indicates the need for \$23,545,600 GPR in FY02 (\$2,441,700 for salary and fringe benefits; \$2,005,000 for supplies and services; \$3,554,300 for one-time costs; and \$15,544,600 for lease payments). The DOC estimates a need for \$31,777,400 GPR in FY03 (\$16,609,400 in salary and fringe benefits; \$3,962,300 in supplies and services; \$324,500 in one-time costs; \$1,865,800 in non-staff related healthcare costs; and \$7,691,000 for lease payments). The FY03 appropriation would be offset \$15,320,900 by reducing the number of needed contract beds; thus the actual need for additional dollars in FY03 would be \$16,456,500. On an annual basis, the department estimates total GPR costs of \$32,997,500.

These estimates do not include additional capital costs for moveable equipment of \$5,001,400.

PROS

1. AB 42 will pave the way for the lease and operation of the 1,600-bed Stanley prison and the construction, lease and operation of another privately built facility in Douglas County.
2. The lease of the Stanley (and eventually Douglas County) institution will ease severe overcrowding in the state prison system, thereby reducing the need to export inmates to facilities in other states. This in turn will make it easier for families and friends to visit Wisconsin inmates.
3. Keeping inmates in Wisconsin also keeps jobs and tax dollars in our state. It is estimated that the leasing of the Stanley prison will create more than 700 jobs in an economically depressed area of northern Wisconsin. Additionally, an Ernst and Young study estimated a nearly \$40 million economic benefit to opening the prison.
4. The bill sets strict guidelines for the future construction of correctional facilities. There will never be another "Stanley;" that is, a private person will no longer be able to build a correctional institution without prior approval by the state.
5. The prevailing wage and primary health care language makes unions happy.
6. Thus Chuck might actually allow the Senate to vote on this bill.

CONS

1. The prevailing wage and primary health care language is anti-competitive and likely will result in higher costs to the state.
2. The bill creates unnecessary restrictions on the construction of correctional facilities.
3. This bill is more about making a few Senate Democrats happy than permitting the lease of the Stanley prison. It is not clear that any additional statutory language is needed to allow the state to use Stanley.

SUPPORTERS

Rep. Scott Walker, author; Sen. Bob Jauch, lead co-sponsor; Sen. Dave Zien, 23rd Senate District; Rep. Tom Sykora, 67th Assembly District; Rep. Rob Kreibich, 93rd Assembly District; Rep. Scott Suder, 69th Assembly District; Rep. Larry Balow, 68th Assembly District; Rep. Frank Boyle, 73rd Assembly District; Secretary Jon E. Litscher, DOC; Mayor David Jankoski, City of Stanley; James C. Ericksen, resident of Stanley; Jim Ignavski, Momentum Chippewa Valley; Bob McCay, Eau Claire Area Chamber of Commerce; John Regetz, Chippewa County Economic Development; Geof Wendorf, Douglas County; Kenneth Stubbe, Dev. Assoc. Inc.; David Minor, Superior-Douglas County Chamber of Commerce; Robert Finsland, Superior Federation of Labor; Frank H. Giesen, Douglas County; Marty Beil, WI State Employees Union; and LeNore Wilson, Dist. 1199W/UP, SEIU (nurses union).

OPPOSITION

Nobody testified or registered in opposition to AB 42.

HISTORY

Assembly Bill 42 was introduced on January 25, 2001, and referred to the Assembly Committee on Corrections and the Courts. A public hearing was held on January 31, 2001. On February 7, 2001, the Committee voted 6-1-3 [Rep. Coggs voted no; Reps. Ownes, Skindrud and Colon were absent.] to recommend passage of AB 42 as amended.

CONTACT: Melissa Gilbert, Office of Rep. Scott Walker



Assembly Committee On Insurance, Tourism, Transportation and
Corrections
Representative Scott Walker, Chair

Date?

~~Re: LRB 2596/, relating to: the lease and operation of correctional
facilities and making an appropriation~~

Testimony by: Geof Wendorf
Community Resource Development Educator
Douglas County/University of Wisconsin-Extension

My name is Geof Wendorf and for the past ¹⁸ ~~15~~ years I have served the
citizens of Douglas county as the Community Resource Development
Educator with the University of Wisconsin-Extension. In this role I have
assisted countless local government officials, business and community
groups and citizens in the identification of goals and strategies to improve
the quality of life for the people of northwest Wisconsin.

I want to thank the committee for the opportunity to testify and also for
its willingness to address the severe shortage of incarceration space in the
state of Wisconsin. It is our intention in Douglas County to become a
partner in the solution of this serious problem. Together, we can provide
correctional space in a humane, fiscally responsible and economically
advantageous way.

A few statistics about Douglas County will assist you in understanding
our interest in prison development.

Douglas County:

* consistently runs about 23% lower than the State average for per capita
income

- * consistently is about 2 percentage points higher than the state average for unemployment
- * has 23% of its children under 18 years old living in poverty (1990 census)
- * has a teen pregnancy rate 40% higher than the state average (1994)
- * has a child abuse and neglect rate 35% higher than the state average (1990-1992 average)
- * Superior has the 9th oldest housing stock in the nation of cities its size
- * 85% of rental property in Douglas county is considered substandard

We believe that our weak economy in Douglas County is in part responsible for these dismal statistics. It is for this reason that we are so earnest in our desire to locate a state operated prison in Douglas County. We believe that the economic impact of a development of this size would help greatly to alleviate these persistent negative impacts resulting from our poor economy.

Douglas County has been interested in providing a prison site for a number of years. Three years ago Douglas County submitted a proposal to house the Super Max prison the State was considering building. Although our proposal was competitive, it was not selected for several reasons:

1. The necessary governmental agreements to provide the site and infrastructure were not in place.
2. There was a perceived lack of community support.

These weaknesses in our proposal were accurate. We determined at that time that our next proposal would be much stronger. The Douglas

County Board Chair appointed a Correctional Facilities Task Force and charged them with the following:

1. Study the impacts of prisons on communities
2. Educate the public of findings and assess public support for a prison in Douglas County
3. Make a recommendation to the county board on whether to pursue the siting of a prison in Douglas County

The Task Force conducted research to study the impacts of prisons on communities with prisons, site visits were made to prisons throughout the state, numerous public information meetings were held to share what the Task Force had learned, UW-Superior student projects were undertaken to study the prison impacts, telephone polls were conducted to assess public support for a prison in Douglas County, local governmental relations were formed and a team partnership was developed. In addition, in recognition of Douglas County's efforts to prepare itself to site a prison, Correctional Properties Trust offered to form a partnership with the county to pursue a prison. This partnership has developed into one of respect and trust with an interest in a common vision: site a privately constructed, publically run prison in Douglas County. The Task Force, with its enhanced understanding of the positive impacts that prisons have on communities and its belief that there was strong public support completed its work by unanimously recommending to the Douglas County Board that they vigorously pursue the siting of a publically run prison in the County. This was followed with a public referendum and the voting public overwhelmingly supported siting a prison in Douglas County.

During the past year we have worked together with the state to provide a prison development package that we feel is in the best interest of all

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concerned. A site feasibility analysis was prepared and the Parkland site chosen as the best site. Soil borings have been conducted, a sewer study is underway and a financing package to provide the infrastructure to the site is being developed.

In summary, we feel that we have addressed the weaknesses of our first proposal and are confident that Douglas County would be a great place to site a prison. We urge the committee to pass this bill and pave the way for a solution to the current problem. We would love to provide prison beds in Douglas County for all the prisoners currently being shipped to Duluth, Oklahoma, Texas and Tennessee.

Thank you

I urge swift passage of this bill.
We must stop exporting our prisoners
and our money.



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Fact Sheet on the Stanley Correctional Facility

- ◆ Create 719 new jobs in Wisconsin (426 on prison payroll and 293 elsewhere).
- ◆ A prison personnel expenditure of approximately \$15 million a year in the Chippewa Valley.
- ◆ A totally completed state-of-the-art prison facility exists with space for 1,500 inmates and ability to take prisoners as soon as the state can train and staff. All buildings have been inspected and approved for use by a State Building Inspector.
- ◆ An opportunity to rehabilitate 1,500 prisoners in Wisconsin, not in TN, MN, MS and OK.
- ◆ Wisconsin people can be employed and pay taxes on the salaries they earn as correctional officers rather than pay correctional officers in other states.
- ◆ Stop paying over \$200,000 per day to house prisoners outside of state operated facilities – over \$1 million every 5 days!



Layoffs within 60 miles of Stanley

2/24/00 Eau Claire, Holiday Companies (Cassidy's Foods) 78
2/02/00 Wausau, Brandon Apparel 56
3/20/00 Wausau, Fiskers 140
4/15/00 Phillips, Marquip 175
6/17/00 Eau Claire, HTI 193
7/19/00 Dorchester, Liberty Homes 75
11/24/00 Black River Falls, Bar-B-Plaza 90
1/03/00 Thorp, Saputo Cheese 103
1/08/00 Rice Lake, McCain Foods 90
1/08/00 Prentice, Blount, Inc. 101
1/21/01 Cornell, Globe 100

Total: 1201

Within 30 miles of Stanley

-including EC, Thorp, Dorchester, Cornell

Total: 549

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