

2003 DRAFTING REQUEST

Bill

Received: 10/03/2002

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 6-2213

By/Representing: Steinmetz

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Addl. Drafters:

Subject: Correctional System - prisons
Children - juvenile justice

Extra Copies: rpn
gmm

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Steinmetz - BB0086,

Topic:

Converting Prairie du Chien Correctional Institution into an adult prison

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 10/14/2002	kfollett 10/16/2002 kfollett 10/16/2002		_____			State
/1			pgreensl 10/16/2002	_____	lemery 10/16/2002		State

<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	mdsida 02/10/2003 mdsida 02/14/2003	kgilfoy 02/10/2003	rschluet 02/10/2003	_____	lemery 02/10/2003		State
/3		kfollett 02/14/2003	jfrantze 02/14/2003	_____	lemery 02/14/2003		

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/1		13 kjf 2/14	pgreensl 10/16/2002 Jb 2/14	_____	lemery 10/16/2002		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/?	mdsida 10/14/2002	kfollett 10/16/2002					State
		kfollett 10/16/2002					
/1		<i>12-9/10/03</i> pgreensl 10/16/2002			lemery 10/16/2002		

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2-10-3

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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FE Sent For:		11 kijf	10/16	10/16			
		10/15	P8	<END>			
		1 10/16 jld		P8/P			

Attachment 1

FY03-05 Statutory Language Cover Sheet

Topic: Prairie du Chien Permanent Conversion to an Adult Prison

Team: HPS

Contact: Steinmetz

Agency: DOC

Agency #: 410

BB0084

**Department of Corrections
2003-2005 Biennial Budget
Statutory Language Request**

Topic: Prairie du Chien Permanent Conversion to an Adult Prison

Current Language

Current language at §20.410(3)(hm) specifies that the Department shall pay for operation of the Prairie du Chien Correctional Institution (PDCCI) through the juvenile correctional services appropriation. These expenditures are reimbursed by appropriation §20.410(1)(ab), corrections contracts and agreements.

Proposed Change

Delete the statutory reference that specifies PDCCI expenditures are to be paid through §20.410(3)(hm). This will allow PDCCI to permanently become an adult prison and no longer a secured juvenile correctional facility.

§20.410(3)(hm) *Juvenile correctional services.* Except as provided in pars. (ho) and (hr), the amounts in the schedule for juvenile correctional services specified in s. 301.26(4)(c.) and (d) ~~and to operate the correctional institution authorized under 1997 Wisconsin Act 4, section 4(1)(a).~~ All moneys received from the sale of surplus property, including vehicles, from juvenile correctional institutions operated by the department, all moneys received as payments in restitution of property damaged at juvenile correctional institutions operated by the department, all moneys received from miscellaneous services provided at a juvenile correctional institution operated by the department, all moneys transferred under s.301.26(4)(cm), ~~all moneys received under 1997 Wisconsin Act 27, section 9111(2u) and...~~

Effect of the Change

This change will make PDCCI an adult prison instead of a contracted adult prison that is statutorily designated as a juvenile correctional institution.

Rationale for the Change

Population projections indicate that there will not be a need for PDCCI to serve as a juvenile facility. It is currently functioning as an adult institution. This change is necessary to permanently make PDCCI an adult prison.

Desired Effective Date: Upon Passage of Bill
Agency: DOC
Agency Contact: Dawn Woeshnick
Phone: 240-5417

P/c to Jana

Elim ~~the~~ restriction re non-violent offenders



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0332/0

MGD:...

Handwritten signature and circled number 1

DOA:.....Steinmetz - BB0086, Converting Prairie du Chien Correctional Institution into an adult prison

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Do Not Gen

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

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM ✓

ADULT CORRECTIONAL SYSTEM ✓

Under current law, until July 1, 2003, DOC may operate the juvenile correctional facility at Prairie du Chien as a state prison for nonviolent offenders who are not more than 21 years of age. This bill permanently converts that facility into an adult prison and lifts all restrictions regarding the type of prisoner who may be confined there.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 20.410 (3) (hm) of the statutes is amended to read:

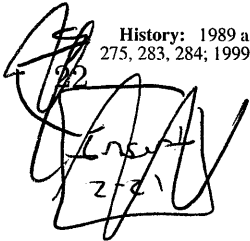
3 20.410 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho)

4 and (hr), the amounts in the schedule for juvenile correctional services specified in

1 s. 301.26 (4) (c) and (d) ~~and to operate the correctional institution authorized under~~
2 ~~1997 Wisconsin Act 4, section 4 (1) (a).~~ All moneys received from the sale of surplus
3 property, including vehicles, from juvenile correctional institutions operated by the
4 department, all moneys received as payments in restitution of property damaged at
5 juvenile correctional institutions operated by the department, all moneys received
6 from miscellaneous services provided at a juvenile correctional institution operated
7 by the department, all moneys transferred under s. 301.26 (4) (cm), ~~all moneys~~
8 ~~received under 1997 Wisconsin Act 27, section 9111 (2u)~~ and, except as provided in
9 par. (hr), all moneys received in payment for juvenile correctional services specified
10 in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If
11 moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year
12 institutional costs, ~~other than the cost of operating the correctional institution~~
13 ~~authorized under 1997 Wisconsin Act 4, section 4 (1) (a),~~ by 2% or more, all moneys
14 in excess of that 2% shall be remitted to the counties during the subsequent calendar
15 year or transferred to the appropriation account under par. (kx) during the
16 subsequent fiscal year. Each county and the department shall receive a
17 proportionate share of the remittance and transfer depending on the total number
18 of days of placement at juvenile correctional institutions including the Mendota
19 Juvenile Treatment Center. Counties shall use the funds for purposes specified in
20 s. 301.26. The department shall deposit in the general fund the amounts transferred
21 under this paragraph to the appropriation account under par. (kx).

History: 1989 a. 31 ss. 340, 361 to 380, 382 to 392; 1989 a. 107, 122, 359; 1991 a. 39; 1993 a. 16, 98, 377, 437, 490; 1995 a. 27, 77, 416, 440; 1997 a. 4, 27, 35, 237, 252, 275, 283, 284; 1999 a. 9, 89; 2001 a. 16.

SECTION 2. 302.01 (1) (d) of the statutes is amended to read:


2-21

1 302.01 (1) (d) The correctional institution at Prairie du Chien authorized under
2 1997 Wisconsin Act 4, section 4 (1) (a).

History: 1973 c. 90; 1975 c. 39; 1975 c. 189 s. 99 (1); 1975 c. 224, 422; 1977 c. 29; 1977 c. 418 ss. 369, 924 (18) (d); 1979 c. 221; 1981 c. 20; 1983 a. 192, 332, 538; 1985 a. 29; 1987 a. 5; 1989 a. 31 ss. 1617m, 1617n; Stats. 1989 s. 302.01; 1989 a. 359; 1991 a. 39; 1995 a. 27; 1997 a. 4, 27; 1999 a. 9; 2001 a. 16, 103; s. 13.93 (1) (b) and (2) (c), Stats.

3

(END)

Insert ✓
3/2

IN sent ~~3/2~~ 3/2

DOA:.....Percy - Prairie du Chien correctional facility
FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

permanently converts that facility into an adult prison
and lifts all restrictions regarding the type of
prisoner who may be confined there

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

Analysis by the Legislative Reference Bureau
CORRECTIONAL SYSTEM
ADULT CORRECTIONAL SYSTEM

2003

Under current law, the department of corrections (DOC) until July 1, 1999, may operate the juvenile secured correctional facility at Prairie du Chien as a state prison for nonviolent offenders under 21 years of age. This bill permits DOC to operate that facility as a state prison for female prisoners.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 20.410 (1) (ac) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 2. 20.410 (3) (hm) of the statutes is amended to read:

4 20.410 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho)


5 and (hr), the amounts in the schedule for juvenile correctional services specified in

↓

1 ~~s. 301.26 (4) (c) and (d) and to operate the correctional institution authorized under~~
2 ~~1997 Wisconsin Act 4, section 4 (1) (a). All moneys received from the sale of surplus~~
3 ~~property, including vehicles, from juvenile correctional institutions operated by the~~
4 ~~department, all moneys received as payments in restitution of property damaged at~~
5 ~~juvenile correctional institutions operated by the department, all moneys received~~
6 ~~from miscellaneous services provided at a juvenile correctional institution operated~~
7 ~~by the department, all moneys transferred under s. 301.26 (4) (cm), all moneys~~
8 ~~received under 1997 Wisconsin Act 27, section 9111 (2u) and, except as provided in~~
9 ~~par. (hr), all moneys received in payment for juvenile correctional services specified~~
10 ~~in s. 301.26 (4) (d) and (dt) shall be credited to this appropriation account. If moneys~~
11 ~~generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year~~
12 ~~institutional costs, other than the cost of operating the correctional institution~~
13 ~~authorized under 1997 Wisconsin Act 4, section 4 (1) (a), by 2% or more, all moneys~~
14 ~~in excess of that 2% shall be remitted to the counties during the subsequent calendar~~
15 ~~year or transferred to the appropriation account under par. (kx) during the~~
16 ~~subsequent fiscal year. Each county and the department shall receive a~~
17 ~~proportionate share of the remittance and transfer depending on the total number~~
18 ~~of days of placement at juvenile correctional institutions including the Mendota~~
19 ~~Juvenile Treatment Center. Counties shall use the funds for purposes specified in~~
20 ~~s. 301.26. The department shall deposit in the general fund the amounts transferred~~
21 ~~under this paragraph to the appropriation account under par. (kx).~~

22 SECTION 3. 46.22 (1) (c) 2. of the statutes is amended to read:

23 46.22 (1) (c) 2. Subdivision 1. does not authorize the county department of
24 social services to make investigations regarding admission to or release from the
25 Waupun correctional institution, the Columbia correctional institution, the Racine



1 ~~correctional institution, the Racine Youthful Offender Correctional Facility, the~~
 2 ~~correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a), the~~
 3 ~~correctional institution authorized under s. 301.046 (1), the correctional institution~~
 4 ~~authorized under s. 301.048 (4) (b), the correctional institution authorized under s.~~
 5 ~~301.16 (1n), the Oshkosh correctional institution, the Green Bay correctional~~
 6 ~~institution, the Dodge correctional institution, the Taycheedah correctional~~
 7 ~~institution, the Prairie du Chien correctional institution, county houses of~~
 8 ~~correction, jails, detention homes or reforestation camps.~~

insert
 2-2)

9 SECTION 4. 301.18 (1) (h) of the statutes is created to read:

10 301.18 (1) (h) Provide the facilities necessary for the Prairie du Chien
 11 correctional institution under s. 301.16 (1t).

12 SECTION 5. 302.01 of the statutes is amended to read:

13 **302.01 State prisons named and defined.** The penitentiary at Waupun is
 14 named "Waupun Correctional Institution". The correctional treatment center at
 15 Waupun is named "Dodge Correctional Institution". The penitentiary at Green Bay
 16 is named "Green Bay Correctional Institution". The medium/maximum penitentiary
 17 at Portage is named "Columbia Correctional Institution". The medium security
 18 institution at Oshkosh is named "Oshkosh Correctional Institution". The medium
 19 security penitentiary near Fox Lake is named "Fox Lake Correctional Institution".
 20 The penitentiary at Taycheedah is named "Taycheedah Correctional Institution".
 21 The penitentiary at Prairie du Chien is named "Prairie du Chien Correctional
 22 Institution". The medium security penitentiary at Plymouth is named "Kettle
 23 Moraine Correctional Institution". The penitentiary at the village of Sturtevant in
 24 Racine county is named "Racine Correctional Institution". The medium security
 25 penitentiary at Racine is named "Racine Youthful Offender Correctional Facility".



1 The resource facility at Oshkosh is named "Wisconsin Resource Center". The
 2 institutions named in this section, the correctional institution authorized under s.
 3 301.16 (1n), ~~correctional institution authorized under 1997 Wisconsin Act 4, section~~
 4 ~~4 (1) (a), correctional institution authorized under s. 301.046 (1), correctional~~
 5 ~~institution authorized under s. 301.048 (4) (b), minimum security correctional~~
 6 ~~institutions authorized under s. 301.13, and state-local shared correctional facilities~~
 7 ~~when established under s. 301.14, are state prisons.~~

8 SECTION 6. 973.013 (3) of the statutes is amended to read:

9 973.013 (3) Female persons convicted of a felony may be committed to the
 10 Taycheedah correctional institution or the Prairie du Chien correctional institution
 11 unless they are subject to sub. (3m).

12 SECTION 7. 1997 Wisconsin Act 4, section 4 (1) (title) is repealed.

13 SECTION 8. 1997 Wisconsin Act 4, section 4 (1) (a), as last affected by 1997 2001

14 Wisconsin Act ¹⁶ ~~27~~ ⁴⁰³⁵, section ~~5320a~~, is ~~renumbered~~ 301.16 (2) of the statutes and
 15 amended to read:

16 ~~Notwithstanding 1995 Wisconsin Act 27, section 9126 (23) and~~
 17 ~~(26v), in addition to the institutions under sub. (4), the department of corrections~~
 18 ~~may, from July 1, 1997, until July 1, 1999, operate the juvenile secured correctional~~
 19 ~~facility, as defined in s. 938.02 (15m), authorized under 1995 Wisconsin Act 27,~~
 20 ~~section 9126 (26v), as a state prison named in section ~~302.01~~ of the statutes, as~~
 21 ~~affected by this act, for the placement of ~~foreign~~ prisoners, as defined in section~~
 22 ~~301.01 (2) of the statutes, who are not more than 21 years of age and who are not~~
 23 ~~violent offenders, as determined by the department of corrections.~~ The state prison
 24 under this subsection shall be known as the Prairie du Chien correctional institution.

25 SECTION 9. 1997 Wisconsin Act 4, section 4 (1) (b) is repealed.

INSIST 3/2 CONT
 13
 Change Component to Act: Amend
 16
 17
 18
 19
 20
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 22
 23
 24
 25

[1997 Wisconsin Act 4] Section 4 (1)(a)



Mike - Please use most current text on 3/2

01 Wis. Act 16, s. 4035

Section 4035. 1997 Wisconsin Act 4, section 4 (1) (a), as last affected by 1999 Wisconsin Act 9, section 3261, is amended to read:

01 Wis. Act 16, s. 4035 - continued

[1997 Wisconsin Act 4] Section 4 (1) (a) Notwithstanding 1995 Wisconsin Act 27, section 9126 (23) and (26v), the department of corrections may, from July 1, 1997, until July 1, 2001 ~~2003~~, operate the secured correctional facility, as defined in section 938.02 (15m) of the statutes, authorized under 1995 Wisconsin Act 27, section 9126 (26v), as a state prison named in section 302.01 of the statutes, as affected by this act, for the placement of prisoners, as defined in section 301.01 (2) of the statutes, who are not more than 21 years of age and who are not violent offenders, as determined by the department of corrections.

LPS - please proof against draft

Section 8.

(Insert 3-2
CONT 1)

1

SECTION 10. 1997 Wisconsin Act 27, section 9111 (2u) is repealed.

2

(END)

(end of insert)
3-2



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-03320-2
MGD:kjf&jld/pg
K. Kelley

DOA:.....Steinmetz - BB0086, Converting Prairie du Chien Correctional
Institution into an adult prison

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT <sup>Don't
see.</sup> relating to: the budget.

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

ADULT CORRECTIONAL SYSTEM

Under current law, until July 1, 2003, DOC may operate the juvenile correctional facility at Prairie du Chien as a state prison for nonviolent offenders who are not more than 21 years of age. This bill permanently converts that facility into an adult prison and lifts all restrictions regarding the type of prisoner who may be confined there.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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3 20.410 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho)
4 and (hr), the amounts in the schedule for juvenile correctional services specified in

1 s. 301.26 (4) (c) and (d) ~~and to operate the correctional institution authorized under~~
2 ~~1997 Wisconsin Act 4, section 4 (1) (a).~~ All moneys received from the sale of surplus
3 property, including vehicles, from juvenile correctional institutions operated by the
4 department, all moneys received as payments in restitution of property damaged at
5 juvenile correctional institutions operated by the department, all moneys received
6 from miscellaneous services provided at a juvenile correctional institution operated
7 by the department, all moneys transferred under s. 301.26 (4) (cm), ~~all moneys~~
8 ~~received under 1997 Wisconsin Act 27, section 9111 (2u)~~ and, except as provided in
9 par. (hr), all moneys received in payment for juvenile correctional services specified
10 in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If
11 moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year
12 institutional costs, ~~other than the cost of operating the correctional institution~~
13 ~~authorized under 1997 Wisconsin Act 4, section 4 (1) (a),~~ by 2% or more, all moneys
14 in excess of that 2% shall be remitted to the counties during the subsequent calendar
15 year or transferred to the appropriation account under par. (kx) during the
16 subsequent fiscal year. Each county and the department shall receive a
17 proportionate share of the remittance and transfer depending on the total number
18 of days of placement at juvenile correctional institutions including the Mendota
19 Juvenile Treatment Center. Counties shall use the funds for purposes specified in
20 s. 301.26. The department shall deposit in the general fund the amounts transferred
21 under this paragraph to the appropriation account under par. (kx).

22 SECTION 2. 302.01 (1) (d) of the statutes is amended to read:

23 302.01 (1) (d) The correctional institution at Prairie du Chien authorized under
24 ~~1997 Wisconsin Act 4, section 4 (1) (a).~~ s. 301.16 (1u)

25 SECTION 3. 1997 Wisconsin Act 4, section 4 (1) (title) is repealed.

1 SECTION 4. 1997 Wisconsin Act 4, section 4 (1) (a), as last affected by 2001
2 Wisconsin Act 16, section 4035, is ^{renumbered section 301.16 (1u) of the statutes and} amended to read:

3 ~~Wisconsin Act 4 Section 4 (1) (a)~~ Notwithstanding 1995 Wisconsin Act 27,
4 section 9126 (23) and (26v), the department ~~of corrections may, from July 1, 1997,~~
5 ~~until July 1, 2003, shall~~ operate the secured correctional facility, as defined in s.
6 ~~938.02 (15m) of the statutes, authorized under 1995 Wisconsin Act 27, section 9126~~
7 ~~(26v), as a state prison named in section 302.01 of the statutes, as affected by this~~
8 ~~act, for the placement of prisoners, as defined in section 301.01 (2) of the statutes,~~
9 ~~who are not more than 21 years of age and who are not violent offenders, as~~
10 ~~determined by the department of corrections.~~

11 SECTION 5. 1997 Wisconsin Act 4, section 4 (1) (b) is repealed.

12 SECTION 6. 1997 Wisconsin Act 27, section 9111 (2u) is repealed.

13 (END)

301.16 ^(b) (1u)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0332(2) 3
MGD:kjf/jld/kmg:rs

DOA:.....Steinmetz – BB0086, Converting Prairie du Chien Correctional Institution into an adult prison

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Don't Gen

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

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2 SECTION 1. 20.410 (3) (hm) of the statutes is amended to read:
3 20.410 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho)
4 and (hr), the amounts in the schedule for juvenile correctional services specified in

SECTION 1

1 s. 301.26 (4) (c) and (d) ~~and to operate the correctional institution authorized under~~
2 ~~1997 Wisconsin Act 4, section 4 (1) (a).~~ All moneys received from the sale of surplus
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4 department, all moneys received as payments in restitution of property damaged at
5 juvenile correctional institutions operated by the department, all moneys received
6 from miscellaneous services provided at a juvenile correctional institution operated
7 by the department, all moneys transferred under s. 301.26 (4) (cm), ~~all moneys~~
8 ~~received under 1997 Wisconsin Act 27, section 9111 (2u)~~ and, except as provided in
9 par. (hr), all moneys received in payment for juvenile correctional services specified
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13 ~~authorized under 1997 Wisconsin Act 4, section 4 (1) (a),~~ by 2% or more, all moneys
14 in excess of that 2% shall be remitted to the counties during the subsequent calendar
15 year or transferred to the appropriation account under par. (kx) during the
16 subsequent fiscal year. Each county and the department shall receive a
17 proportionate share of the remittance and transfer depending on the total number
18 of days of placement at juvenile correctional institutions including the Mendota
19 Juvenile Treatment Center. Counties shall use the funds for purposes specified in
20 s. 301.26. The department shall deposit in the general fund the amounts transferred
21 under this paragraph to the appropriation account under par. (kx).

22 **SECTION 2.** 302.01 (1) (d) of the statutes is amended to read:

23 302.01 (1) (d) The correctional institution at Prairie du Chien authorized under
24 ~~1997 Wisconsin Act 4, section 4 (1) (a)~~ s. 301.16 (1u).

25 **SECTION 3.** 1997 Wisconsin Act 4, section 4 (1) (title) is repealed.

1 **SECTION 4.** 1997 Wisconsin Act 4, section 4 (1) (a), as last affected by 2001
2 Wisconsin Act 16, section 4035, is renumbered section 301.16 (1u) of the statutes and
3 amended to read:

4 **301.16 (1u)** Notwithstanding 1995 Wisconsin Act 27, section 9126 (23) and
5 (26v), the department of ~~corrections may, from July 1, 1997, until July 1, 2003, shall~~
6 ~~operate the secured correctional facility, as defined in s. 938.02 (15m) of the statutes,~~
7 ~~authorized under 1995 Wisconsin Act 27, section 9126 (26v), as a state prison named~~
8 ~~in section 302.01 of the statutes, as affected by this act, for the placement of~~
9 ~~prisoners, as defined in section 301.01 (2) of the statutes, who are not more than 21~~
10 ~~years of age and who are not violent offenders, as determined by the department of~~
11 ~~corrections.~~

12 **SECTION 5.** 1997 Wisconsin Act 4, section 4 (1) (b) is repealed.

13 **SECTION 6.** 1997 Wisconsin Act 27, section 9111 (2u) is repealed.

14 **(END)**



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0332/3
MGD:kjf/jld/kmg:jf

DOA:.....Steinmetz – BB0086, Converting Prairie du Chien Correctional Institution into an adult prison

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

ADULT CORRECTIONAL SYSTEM

Under current law, until July 1, 2003, DOC may operate the juvenile correctional facility at Prairie du Chien as a state prison for nonviolent offenders who are not more than 21 years of age. This bill permanently converts that facility into an adult prison and lifts all restrictions regarding the age and type of prisoner who may be confined there.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 20.410 (3) (hm) of the statutes is amended to read:
3 20.410 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho)
4 and (hr), the amounts in the schedule for juvenile correctional services specified in

1 s. 301.26 (4) (c) and (d) ~~and to operate the correctional institution authorized under~~
2 ~~1997 Wisconsin Act 4, section 4 (1) (a).~~ All moneys received from the sale of surplus
3 property, including vehicles, from juvenile correctional institutions operated by the
4 department, all moneys received as payments in restitution of property damaged at
5 juvenile correctional institutions operated by the department, all moneys received
6 from miscellaneous services provided at a juvenile correctional institution operated
7 by the department, all moneys transferred under s. 301.26 (4) (cm), ~~all moneys~~
8 ~~received under 1997 Wisconsin Act 27, section 9111 (2u) and, except as provided in~~
9 ~~par. (hr), all moneys received in payment for juvenile correctional services specified~~
10 ~~in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If~~
11 ~~moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year~~
12 ~~institutional costs, other than the cost of operating the correctional institution~~
13 ~~authorized under 1997 Wisconsin Act 4, section 4 (1) (a), by 2% or more, all moneys~~
14 ~~in excess of that 2% shall be remitted to the counties during the subsequent calendar~~
15 ~~year or transferred to the appropriation account under par. (kx) during the~~
16 ~~subsequent fiscal year. Each county and the department shall receive a~~
17 ~~proportionate share of the remittance and transfer depending on the total number~~
18 ~~of days of placement at juvenile correctional institutions including the Mendota~~
19 ~~Juvenile Treatment Center. Counties shall use the funds for purposes specified in~~
20 ~~s. 301.26. The department shall deposit in the general fund the amounts transferred~~
21 ~~under this paragraph to the appropriation account under par. (kx).~~

22 **SECTION 2.** 302.01 (1) (d) of the statutes is amended to read:

23 302.01 (1) (d) The correctional institution at Prairie du Chien authorized under
24 ~~1997 Wisconsin Act 4, section 4 (1) (a) s. 301.16 (1u).~~

25 **SECTION 3.** 1997 Wisconsin Act 4, section 4 (1) (title) is repealed.

1 **SECTION 4.** 1997 Wisconsin Act 4, section 4 (1) (a), as last affected by 2001
 2 Wisconsin Act 16, section 4035, is renumbered 301.16 (1u) of the statutes and
 3 amended to read:

4 **301.16 (1u)** Notwithstanding 1995 Wisconsin Act 27, section 9126 (23) and
 5 (26v), the department of corrections may, ~~from July 1, 1997, until July 1, 2003,~~ shall
 6 operate the ~~secured correctional facility, as defined in s. 938.02 (15m) of the statutes,~~
 7 authorized under 1995 Wisconsin Act 27, section 9126 (26v), as a state prison named
 8 ~~in section 302.01 of the statutes, as affected by this act, for the placement of~~
 9 ~~prisoners, as defined in section 301.01 (2) of the statutes, who are not more than 21~~
 10 ~~years of age and who are not violent offenders, as determined by the department of~~
 11 ~~corrections.~~

12 **SECTION 5.** 1997 Wisconsin Act 4, section 4 (1) (b) is repealed.

13 **SECTION 6.** 1997 Wisconsin Act 27, section 9111 (2u) is repealed.

14 **(END)**