



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0164/3
GMM:jld:cph

3
RMR

LFB:.....Zimmerman – Juvenile correctional services deficit

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

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

2 1. Page 364, line 3: delete lines 3 to 24.

3 2. Page 365, line 1: delete lines 1 and 2 and substitute:

4 "SECTION 441d. 20.410 (3) (hm)^X of the statutes is amended to read:

5 20.410 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho)
6 and (hr), the amounts in the schedule for juvenile correctional services specified in
7 s. 301.26 (4) (c) and (d) ~~and to operate the correctional institution authorized under~~
8 ~~1997 Wisconsin Act 4, section 4 (1) (a)~~. All moneys received from the sale of surplus
9 property, including vehicles, from juvenile correctional institutions operated by the
10 department, all moneys received as payments in restitution of property damaged at
11 juvenile correctional institutions operated by the department, all moneys received

1 from miscellaneous services provided at a juvenile correctional institution operated
 2 by the department, all moneys transferred under s. 301.26 (4) (cm), ~~all moneys~~
 3 ~~received under 1997 Wisconsin Act 27, section 9111 (2u) and, except as provided in~~
 4 ~~par. (hr), all moneys received in payment for juvenile correctional services specified~~
 5 ~~in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If~~
 6 ~~moneys generated by the daily rate under s. 301.26 (4) (d), other than moneys~~
 7 ~~generated under s. 301.26 (5) (b), exceed actual fiscal year institutional costs, other~~
 8 ~~than the cost of operating the correctional institution authorized under 1997~~
 9 ~~Wisconsin Act 4, section 4 (1) (a), by 2% or more, all moneys in excess of that 2% shall~~
 10 ~~be remitted to the counties during the subsequent calendar year or transferred to the~~
 11 ~~appropriation account under par. (kx) during the subsequent fiscal year. Each~~
 12 ~~county and the department shall receive a proportionate share of the remittance and~~
 13 ~~transfer depending on the total number of days of placement at juvenile correctional~~
 14 ~~institutions including the Mendota Juvenile Treatment Center. Counties shall use~~
 15 ~~the funds for purposes specified in s. 301.26. The department shall deposit in the~~
 16 ~~general fund the amounts transferred under this paragraph to the appropriation~~
 17 ~~account under par. (kx). Notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and~~
 18 ~~20.903, the department may report a deficit in this appropriation account on June~~
 19 ~~30 of any odd-numbered year, and that deficit shall be recouped during the next~~
 20 ~~fiscal biennium as provided in s. 301.26 (5) (b)."~~

21 **3.** Page 961, line 20: after that line insert:

22 "SECTION 2493m. 301.26 (5) of the statutes is created to read:
 23 301.26 (5) REVENUE SUFFICIENCY. (a) By September 15, December 15, March
 24 15, and June 15 of each fiscal year, the department of corrections shall submit a
 as provided in s. 301.26 (5)(a), the joint committee on finance may
 project a deficit in this appropriation account on June 30 of any
 odd-numbered year as provided in s. 301.26 (5)(b), and

any deficit projected under s.
 301.26 (5)(b)
 5

projected
 do not delete
 set

1 report to the joint committee on finance, and by March 15 of each odd-numbered
 2 year, the department of corrections shall submit a report to the department of
 3 administration, detailing year-to-date revenues and expenditures under the
 4 appropriation account under s. 20.410 (3) (hm) and projecting the balance that will
 5 remain in that appropriation account on June 30 of that fiscal year. If a report
 6 submitted under this paragraph projects a deficit in that appropriation account on
 7 June 30 of a fiscal year, the department of corrections shall include in the report a
 8 description of the efforts that it is making to reduce operating costs so as to minimize
 9 or eliminate that projected deficit.

10 (b) If based on a report submitted under par. (a) for March 15 of an
 11 odd-numbered year the joint committee on finance projects[✓] that there will be a
 12 deficit[✓] in the appropriation account under s. 20.410 (3) (hm) on June 30 of that year,
 13 the joint committee on finance shall prepare a plan to recoup that[✓] ^{projected} deficit as follows:

14 1. By adding 50% of that^{projected} deficit[✓] to the cost basis used to determine the per
 15 person daily cost assessment under sub. (4) (d) 2. for care in a Type 1 secured
 16 correctional facility, as defined in s. 938.02 (19), for the first year of the next fiscal
 17 biennium and by adding 50% of that^{projected} deficit to the cost basis used to determine the
 18 per person daily cost assessment under sub. (4) (d) 3. for care in a Type 1 secured
 19 correctional facility, as defined in s. 938.02 (19), for the 2nd year of the next fiscal
 20 biennium.

21 2. By placing in unallotted reserve and using to recoup that^{projected} deficit[✓] all moneys
 22 generated by the increases in the per person daily cost assessments specified in subd.

23 1. that result from adding that^{projected} deficit to the cost basis specified in subd. 1.

24 3. If on June 30 of the odd-numbered year of the next fiscal biennium the
 25 moneys placed in unallotted reserve under subd. 2. exceed the amount of ^{projected} ~~the deficit~~,

the actual deficit on June 30 of the odd-numbered year
 of the current fiscal biennium

actual ✓

① all moneys in excess of that deficit shall be remitted to the counties or transferred
2 to the appropriation account under s. 20.410 (3) (kx) by September 30 of that
3 odd-numbered year. Each county and the department shall receive a proportionate
4 share of the remittance and transfer depending on the total number of days of
5 placement at Type 1 secured correctional facilities, as defined in s. 938.02 (19), for
6 each county and the state. Counties shall use any amounts remitted under this
7 paragraph for the purposes specified in this section. The department shall deposit
8 in the general fund the amounts transferred under this paragraph to the
9 appropriation account under s. 20.410 (3) (kx).”

10 **4.** Page 1106, line 12: after that line insert:

11 “(2d) JUVENILE CORRECTIONAL SERVICES TRANSFER.

12 (a) There is transferred from the appropriation account under section 20.410
13 (3) (ho) of the statutes, as affected by the acts of 2003, to the appropriation account
14 under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2003, \$439,200
15 in fiscal year 2003–04.

16 (b) There is transferred from the appropriation account under section 20.410
17 (3) (hr) of the statutes, as affected by the acts of 2003, to the appropriation account
18 under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2003,
19 \$2,437,100 in fiscal year 2003–04.”

20 (END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0164/1
GMM:jld:pg
↓
Kij
(4)
(RMR)

LFB:.....Zimmerman – Juvenile correctional services deficit

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO 2003 SENATE BILL 44

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

2 **1.** Page 364, line 3: delete lines 3 to 24.

3 **2.** Page 365, line 1: delete lines 1 and 2 and substitute:

4 **“SECTION 441d.** 20.410 (3) (hm) of the statutes is amended to read:

5 20.410 (3) (hm) *Juvenile correctional services.* Except as provided in pars. (ho)
6 and (hr), the amounts in the schedule for juvenile correctional services specified in
7 s. 301.26 (4) (c) and (d) ~~and to operate the correctional institution authorized under~~
8 ~~1997 Wisconsin Act 4, section 4 (1) (a).~~ All moneys received from the sale of surplus
9 property, including vehicles, from juvenile correctional institutions operated by the
10 department, all moneys received as payments in restitution of property damaged at
11 juvenile correctional institutions operated by the department, all moneys received

1 from miscellaneous services provided at a juvenile correctional institution operated
2 by the department, all moneys transferred under s. 301.26 (4) (cm), ~~all moneys~~
3 ~~received under 1997 Wisconsin Act 27, section 9111 (2u)~~ and, except as provided in
4 par. (hr), all moneys received in payment for juvenile correctional services specified
5 in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If
6 moneys generated by the daily rate under s. 301.26 (4) (d), other than moneys
7 generated under s. 301.26 (5) (b), exceed actual fiscal year institutional costs, ~~other~~
8 ~~than the cost of operating the correctional institution authorized under 1997~~
9 ~~Wisconsin Act 4, section 4 (1) (a)~~, by 2% or more, all moneys in excess of that 2% shall
10 be remitted to the counties during the subsequent calendar year or transferred to the
11 appropriation account under par. (kx) during the subsequent fiscal year. Each
12 county and the department shall receive a proportionate share of the remittance and
13 transfer depending on the total number of days of placement at juvenile correctional
14 institutions including the Mendota Juvenile Treatment Center. Counties shall use
15 the funds for purposes specified in s. 301.26. The department shall deposit in the
16 general fund the amounts transferred under this paragraph to the appropriation
17 account under par. (kx). Notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and
18 20.903, the department may report a projected deficit in this appropriation account
19 on June 30 of any odd-numbered year as provided in s. 301.26 (5) (a), the joint
20 committee on finance may project a deficit in this appropriation account on June 30
21 of any odd-numbered year as provided in s. 301.26 (5) (b), and any deficit projected
22 under s. 301.26 (5) (b) shall be recouped during the next fiscal biennium as provided
23 in s. 301.26 (5) (b).”

24 **3.** Page 961, line 20: after that line insert:

1 "SECTION 2493m. 301.26 (5) of the statutes is created to read:

2 301.26 (5) REVENUE SUFFICIENCY. (a) By September 15, December 15, March
3 15, and June 15 of each fiscal year, the department of corrections shall submit a
4 report to the joint committee on finance, and by March 15 of each odd-numbered
5 year, the department of corrections shall submit a report to the department of
6 administration, detailing year-to-date revenues and expenditures under the
7 appropriation account under s. 20.410 (3) (hm) and projecting the balance that will
8 remain in that appropriation account on June 30 of that fiscal year. If a report
9 submitted under this paragraph projects a deficit in that appropriation account on
10 June 30 of a fiscal year, the department of corrections shall include in the report a
11 description of the efforts that it is making to reduce operating costs so as to minimize
12 or eliminate that projected deficit.

ensure that the per person daily cost assessments under sub. (4) (d) 2. and 3. for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), are sufficient

13 (b) If based on a report submitted under par. (a) for March 15 of an
14 odd-numbered year the joint committee on finance projects that there will be a
15 deficit in the appropriation account under s. 20.410 (3) (hm) on June 30 of that year,

16 the joint committee on finance shall prepare a plan to recoup that projected deficit
17 as follows following Adding

- 18 1. By adding 50% of that projected deficit to the cost basis used to determine
19 the per person daily cost assessment under sub. (4) (d) 2. for care in a Type 1 secured
20 correctional facility, as defined in s. 938.02 (19), for the first year of the next fiscal
21 biennium and by adding 50% of that projected deficit to the cost basis used to
22 determine the per person daily cost assessment under sub. (4) (d) 3. for care in a Type
23 1 secured correctional facility, as defined in s. 938.02 (19), for the 2nd year of the next
24 fiscal biennium.

Placing

① 2. By placing in unallotted reserve and using to recoup that projected deficit
2 all moneys generated by the increases in the per person daily cost assessments
3 specified in subd. 1. that result from adding that projected deficit to the cost basis
4 specified in subd. 1. in which that deficit was incurred

⑤ (c) 3. If on June 30 of the odd-numbered year of the next fiscal biennium the
⑥ moneys placed in unallotted reserve under par. (b) subd. 2. exceed the amount of the actual
⑦ deficit on June 30 of the odd-numbered year of the ~~current~~ fiscal biennium, all
8 moneys in excess of that actual deficit shall be remitted to the counties or transferred
9 to the appropriation account under s. 20.410 (3) (kx) by September 30 of that
10 odd-numbered year. Each county and the department shall receive a proportionate
11 share of the remittance and transfer depending on the total number of days of
12 placement at Type 1 secured correctional facilities, as defined in s. 938.02 (19), for
13 each county and the state. Counties shall use any amounts remitted under this
14 paragraph for the purposes specified in this section. The department shall deposit
15 in the general fund the amounts transferred under this paragraph to the
16 appropriation account under s. 20.410 (3) (kx).”

Insert
4-16

17 4. Page 1106, line 12: after that line insert:

18 “(2d) JUVENILE CORRECTIONAL SERVICES TRANSFER.

19 (a) There is transferred from the appropriation account under section 20.410
20 (3) (ho) of the statutes, as affected by the acts of 2003, to the appropriation account
21 under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2003, \$439,200
22 in fiscal year 2003–04.

23 (b) There is transferred from the appropriation account under section 20.410
24 (3) (hr) of the statutes, as affected by the acts of 2003, to the appropriation account

1 under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2003,
2 \$2,437,100 in fiscal year 2003-04.”
3

(END)

Insert
5-2

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0164/4ins
GMM.....

(INSERT 4-16)

1. Page 1081, line 3: after that line insert:

^f
“(2~~m~~) JUVENILE CORRECTIONAL SERVICES REVENUE SUFFICIENCY. The joint committee on finance shall add \$569,300 to the cost basis used to determine the per person daily cost assessment under section 301.26 (4) (d) 2. of the statutes, as affected by this act, for care in a Type I secured correctional facility, as defined in section 938.02 (19) of the statutes, for fiscal year 2003-04 and \$569,300 to the cost basis used to determine the per person daily cost assessment under section 301.26 (4) (d) 3. of the statutes, as affected by this act, for care in a Type I secured correctional facility, as defined in section 938.02 (19) of the statutes, for fiscal year 2004-05 and shall place in unallotted reserve all moneys generated by the increases in those per person daily cost assessments that result from adding those amounts to those cost bases.”.

(END OF INSERT)

(INSERT 5-2)

2. Page 1133, line 19: after that line insert:

^f
“(2~~m~~) JUVENILE CORRECTIONAL SERVICES REVENUE SUFFICIENCY. SECTION 9130 (2~~m~~)
of this act takes effect retroactively to March 15, 2003.”.

(END OF INSERT)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0164/A
GMM:jld&kjf:jf

S
PJR

LFB:.....Zimmerman – Juvenile correctional services deficit

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

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

2 1. Page 364, line 3: delete lines 3 to 24.

3 2. Page 365, line 1: delete lines 1 and 2 and substitute:

4 “SECTION 441d. 20.410 (3) (hm) of the statutes is amended to read:

5 20.410 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho)
6 and (hr), the amounts in the schedule for juvenile correctional services specified in
7 s. 301.26 (4) (c) and (d) ~~and to operate the correctional institution authorized under~~
8 ~~1997 Wisconsin Act 4, section 4 (1) (a)~~. All moneys received from the sale of surplus
9 property, including vehicles, from juvenile correctional institutions operated by the
10 department, all moneys received as payments in restitution of property damaged at
11 juvenile correctional institutions operated by the department, all moneys received

1 from miscellaneous services provided at a juvenile correctional institution operated
2 by the department, all moneys transferred under s. 301.26 (4) (cm), ~~all moneys~~
3 ~~received under 1997 Wisconsin Act 27, section 9111 (2u)~~ and, except as provided in
4 par. (hr), all moneys received in payment for juvenile correctional services specified
5 in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If
6 moneys generated by the daily rate under s. 301.26 (4) (d), other than moneys
7 generated under s. 301.26 (5) (b), exceed actual fiscal year institutional costs, ~~other~~
8 ~~than the cost of operating the correctional institution authorized under 1997~~
9 ~~Wisconsin Act 4, section 4 (1) (a)~~, by 2% or more, all moneys in excess of that 2% shall
10 be remitted to the counties during the subsequent calendar year or transferred to the
11 appropriation account under par. (kx) during the subsequent fiscal year. Each
12 county and the department shall receive a proportionate share of the remittance and
13 transfer depending on the total number of days of placement at juvenile correctional
14 institutions including the Mendota Juvenile Treatment Center. Counties shall use
15 the funds for purposes specified in s. 301.26. The department shall deposit in the
16 general fund the amounts transferred under this paragraph to the appropriation
17 account under par. (kx). Notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and
18 20.903, the department may report a projected deficit in this appropriation account
19 on June 30 of any odd-numbered year as provided in s. 301.26 (5) (a), the joint
20 committee on finance may project a deficit in this appropriation account on June 30
21 of any odd-numbered year as provided in s. 301.26 (5) (b), and any deficit projected
22 under s. 301.26 (5) (b) shall be recouped during the next fiscal biennium as provided
23 in s. 301.26 (5) (b).”

24 **3.** Page 961, line 20: after that line insert:

1 **SECTION 2493m.** 301.26 (5) of the statutes is created to read:

2 **301.26 (5) REVENUE SUFFICIENCY.** (a) By September 15, December 15, March
3 15, and June 15 of each fiscal year, the department of corrections shall submit a
4 report to the joint committee on finance, and by March 15 of each odd-numbered
5 year, the department of corrections shall submit a report to the department of
6 administration, detailing year-to-date revenues and expenditures under the
7 appropriation account under s. 20.410 (3) (hm) and projecting the balance that will
8 remain in that appropriation account on June 30 of that fiscal year. If a report
9 submitted under this paragraph projects a deficit in that appropriation account on
10 June 30 of a fiscal year, the department of corrections shall include in the report a
11 description of the efforts that it is making to reduce operating costs so as to minimize
12 or eliminate that projected deficit.

13 (b) If based on a report submitted under par. (a) for March 15 of an
14 odd-numbered year the joint committee on finance projects that there will be a
15 deficit in the appropriation account under s. 20.410 (3) (hm) on June 30 of that year,
16 the joint committee on finance shall ensure that the per person daily cost
17 assessments under sub. (4) (d) 2. and 3. for care in a Type 1 secured correctional
18 facility, as defined in s. 938.02 (19), for the next fiscal biennium are sufficient to
19 recoup that projected deficit by doing all of the following:

20 1. Adding 50% of that projected deficit to the cost basis used to determine the
21 per person daily cost assessment under sub. (4) (d) 2. for care in a Type 1 secured
22 correctional facility, as defined in s. 938.02 (19), for the first year of the next fiscal
23 biennium and by adding 50% of that projected deficit to the cost basis used to
24 determine the per person daily cost assessment under sub. (4) (d) 3. for care in a Type

1 1 secured correctional facility, as defined in s. 938.02 (19), for the 2nd year of the next
2 fiscal biennium.

3 2. Placing in unallotted reserve and using to recoup that projected deficit all
4 moneys generated by the increases in the per person daily cost assessments specified
5 in subd. 1. that result from adding that projected deficit to the cost basis specified in
6 subd. 1.

7 (c) If on June 30 of the odd-numbered year of the next fiscal biennium the
8 moneys placed in unallotted reserve under par. (b) 2. exceed the amount of the actual
9 deficit on June 30 of the odd-numbered year of the fiscal biennium in which that
10 deficit was incurred, all moneys in excess of that actual deficit shall be remitted to
11 the counties or transferred to the appropriation account under s. 20.410 (3) (kx) by
12 September 30 of that odd-numbered year. Each county and the department shall
13 receive a proportionate share of the remittance and transfer depending on the total
14 number of days of placement at Type 1 secured correctional facilities, as defined in
15 s. 938.02 (19), for each county and the state. Counties shall use any amounts
16 remitted under this paragraph for the purposes specified in this section. The
17 department shall deposit in the general fund the amounts transferred under this
18 paragraph to the appropriation account under s. 20.410 (3) (kx).”.

19 4. Page 1081, line 3: after that line insert:

\$284,700

\$284,600

20 “(2f) JUVENILE CORRECTIONAL SERVICES REVENUE SUFFICIENCY. The joint
21 committee on finance shall add ~~\$569,300~~ to the cost basis used to determine the per
22 person daily cost assessment under section 301.26 (4) (d) 2. of the statutes, as affected
23 by this act, for care in a Type I secured correctional facility, as defined in section
24 938.02 (19) of the statutes, for fiscal year 2003–04 and ~~\$569,300~~ to the cost basis used

1 to determine the per person daily cost assessment under section 301.26 (4) (d) 3. of
2 the statutes, as affected by this act, for care in a Type I secured correctional facility,
3 as defined in section 938.02 (19) of the statutes, for fiscal year 2004–05 and shall
4 place in unallotted reserve all moneys generated by the increases in those per person
5 daily cost assessments that result from adding those amounts to those cost bases.”.

6 **5.** Page 1106, line 12: after that line insert:

7 “(2d) JUVENILE CORRECTIONAL SERVICES TRANSFER.

8 (a) There is transferred from the appropriation account under section 20.410
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11 in fiscal year 2003–04.

12 (b) There is transferred from the appropriation account under section 20.410
13 (3) (hr) of the statutes, as affected by the acts of 2003, to the appropriation account
14 under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2003,
15 \$2,437,100 in fiscal year 2003–04.”.

16 **6.** Page 1133, line 19: after that line insert:

17 “(2f) JUVENILE CORRECTIONAL SERVICES REVENUE SUFFICIENCY. SECTION 9130 (2f)
18 of this act takes effect retroactively to March 15, 2003.”.

19 (END)

Art

6/6/03

16

Secy of admin places in unallotted reserve

Const JCF



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0164/5
GMM:jld&kjf:cph

6
PWR

LFB:.....Zimmerman – Juvenile correctional services deficit

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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TO 2003 SENATE BILL 44

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3 **2.** Page 365, line 1: delete lines 1 and 2 and substitute:

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9 property, including vehicles, from juvenile correctional institutions operated by the

10 department, all moneys received as payments in restitution of property damaged at

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 10 be remitted to the counties during the subsequent calendar year or transferred to the
 11 appropriation account under par. (kx) during the subsequent fiscal year. Each
 12 county and the department shall receive a proportionate share of the remittance and
 13 transfer depending on the total number of days of placement at juvenile correctional
 14 institutions including the Mendota Juvenile Treatment Center. Counties shall use
 15 the funds for purposes specified in s. 301.26. The department shall deposit in the
 16 general fund the amounts transferred under this paragraph to the appropriation
 17 account under par. (kx). Notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and
 18 20.903, the department may report a projected deficit in this appropriation account
 19 on June 30 of any odd-numbered year as provided in s. 301.26 (5) (a), the joint
 20 committee on finance may project a deficit in this appropriation account on June 30
 21 of any odd-numbered year as provided in s. 301.26 (5) (b), and any deficit projected
 22 under s. 301.26 (5) (b) shall be recouped during the next fiscal biennium as provided
 23 in s. 301.26 (5) (b)."

3. Page 961, line 20: after that line insert:

21

22

23

24

i.

28

KEEP

1 "SECTION 2493m. ✓ 301.26 (5) of the statutes is created to read:

2 301.26 (5) REVENUE SUFFICIENCY. (a) By September 15, December 15, March
3 15, and June 15 of each fiscal year, the department of corrections shall submit a
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8 remain in that appropriation account on June 30 of that fiscal year. If a report
9 submitted under this paragraph projects a deficit in that appropriation account on
10 June 30 of a fiscal year, the department of corrections shall include in the report a
11 description of the efforts that it is making to reduce operating costs so as to minimize
12 or eliminate that projected deficit.

13 (b) (b) ✓ If based on a report submitted under par. ✓ (a) for March 15 of an
14 odd-numbered year the joint committee on finance projects that there will be a
15 deficit in the appropriation account under s. 20.410 (3) (hm) on June 30 of that year,
16 the joint committee on finance shall ensure that the per person daily cost
17 assessments under sub. (4) (d) 2. and 3. for care in a Type 1 secured correctional
18 facility, as defined in s. 938.02 (19), for the next fiscal biennium are sufficient to
19 recoup that projected deficit by ~~doing all of the following~~ (NO A)

20 (NO A) 1. ^{adding} Adding 50% of that projected deficit to the cost basis used to determine the
21 per person daily cost assessment under sub. (4) (d) 2. for care in a Type 1 secured
22 correctional facility, as defined in s. 938.02 (19), for the first year of the next fiscal
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1 1 secured correctional facility, as defined in s. 938.02 (19), for the 2nd year of the next
2 fiscal biennium.

The secretary of administration shall place specified in subd. 1.

3 ③ plain → ② Placing in unallotted reserve and ~~using~~ ^{use} to recoup ~~that~~ ^{the} projected deficit all
4 moneys generated by the increases in the per person daily cost assessments specified
5 in subd. 1. that result from adding that projected deficit to the cost basis specified in
6 subd. 1.

7 (c) If on June 30 of the odd-numbered year of the next fiscal biennium the
8 moneys placed in unallotted reserve under par. (b) 2. exceed the amount of the actual
9 deficit on June 30 of the odd-numbered year of the fiscal biennium in which that
10 deficit was incurred, all moneys in excess of that actual deficit shall be remitted to
11 the counties or transferred to the appropriation account under s. 20.410 (3) (kx) by
12 September 30 of that odd-numbered year. Each county and the department shall
13 receive a proportionate share of the remittance and transfer depending on the total
14 number of days of placement at Type 1 secured correctional facilities, as defined in
15 s. 938.02 (19), for each county and the state. Counties shall use any amounts
16 remitted under this paragraph for the purposes specified in this section. The
17 department shall deposit in the general fund the amounts transferred under this
18 paragraph to the appropriation account under s. 20.410 (3) (kx).”.

19 4. Page 1081, line 3: after that line insert:

20 “(2f) JUVENILE CORRECTIONAL SERVICES REVENUE SUFFICIENCY. The joint
21 committee on finance shall add \$284,700 to the cost basis used to determine the per
22 person daily cost assessment under section 301.26 (4) (d) 2. of the statutes, as affected
23 by this act, for care in a Type I secured correctional facility, as defined in section
24 938.02 (19) of the statutes, for fiscal year 2003–04 and \$284,600 to the cost basis used

↓
The secretary of administration

1 to determine the per person daily cost assessment under section 301.26 (4) (d) 3. of
2 the statutes, as affected by this act, for care in a Type I secured correctional facility,
3 as defined in section 938.02 (19) of the statutes, for fiscal year 2004–05 ~~and~~ shall
4 place in unallotted reserve all moneys generated by the increases in those per person
5 daily cost assessments that result from adding those amounts to those cost bases.”.

6 **5.** Page 1106, line 12: after that line insert:

7 “(2d) JUVENILE CORRECTIONAL SERVICES TRANSFER.

8 (a) There is transferred from the appropriation account under section 20.410
9 (3) (ho) of the statutes, as affected by the acts of 2003, to the appropriation account
10 under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2003, \$439,200
11 in fiscal year 2003–04.

12 (b) There is transferred from the appropriation account under section 20.410
13 (3) (hr) of the statutes, as affected by the acts of 2003, to the appropriation account
14 under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2003,
15 \$2,437,100 in fiscal year 2003–04.”.

16 **6.** Page 1133, line 19: after that line insert:

17 “(2f) JUVENILE CORRECTIONAL SERVICES REVENUE SUFFICIENCY. SECTION 9130 (2f)
18 of this act takes effect retroactively to March 15, 2003.”.

19

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0164/s
GMM:jld&kjf:ch

7
FMR

LFB:.....Zimmerman – Juvenile correctional services deficit

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

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

2 1. Page 364, line 3: delete lines 3 to 24.

3 2. Page 365, line 1: delete lines 1 and 2 and substitute:

4 “SECTION 441d. 20.410 (3) (hm) of the statutes is amended to read:

5 20.410 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho)
6 and (hr), the amounts in the schedule for juvenile correctional services specified in
7 s. 301.26 (4) (c) and (d) ~~and to operate the correctional institution authorized under~~
8 ~~1997 Wisconsin Act 4, section 4 (1) (a)~~. All moneys received from the sale of surplus
9 property, including vehicles, from juvenile correctional institutions operated by the
10 department, all moneys received as payments in restitution of property damaged at
11 juvenile correctional institutions operated by the department, all moneys received

1 from miscellaneous services provided at a juvenile correctional institution operated
2 by the department, all moneys transferred under s. 301.26 (4) (cm), ~~all moneys~~
3 ~~received under 1997 Wisconsin Act 27, section 9111 (2u)~~ and, except as provided in
4 par. (hr), all moneys received in payment for juvenile correctional services specified
5 in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If
6 moneys generated by the daily rate under s. 301.26 (4) (d), other than moneys
7 generated under s. 301.26 (5) (b), exceed actual fiscal year institutional costs, ~~other~~
8 ~~than the cost of operating the correctional institution authorized under 1997~~
9 ~~Wisconsin Act 4, section 4 (1) (a)~~, by 2% or more, all moneys in excess of that 2% shall
10 be remitted to the counties during the subsequent calendar year or transferred to the
11 appropriation account under par. (kx) during the subsequent fiscal year. Each
12 county and the department shall receive a proportionate share of the remittance and
13 transfer depending on the total number of days of placement at juvenile correctional
14 institutions including the Mendota Juvenile Treatment Center. Counties shall use
15 the funds for purposes specified in s. 301.26. The department shall deposit in the
16 general fund the amounts transferred under this paragraph to the appropriation
17 account under par. (kx). Notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and
18 20.903, the department may report a projected deficit in this appropriation account
19 on June 30 of any odd-numbered year as provided in s. 301.26 (5) (a), the joint
20 committee on finance may project a deficit in this appropriation account on June 30
21 of any odd-numbered year as provided in s. 301.26 (5) (b) 1., and any deficit projected
22 under s. 301.26 (5) (b) 1. shall be recouped during the next fiscal biennium as
23 provided in s. 301.26 (5) (b) 2.”.

24 **3.** Page 961, line 20: after that line insert:

1 **“SECTION 2493m.** 301.26 (5) of the statutes is created to read:

2 **301.26 (5) REVENUE SUFFICIENCY.** (a) By September 15, December 15, March
3 15, and June 15 of each fiscal year, the department of corrections shall submit a
4 report to the joint committee on finance, and by March 15 of each odd-numbered
5 year, the department of corrections shall submit a report to the department of
6 administration, detailing year-to-date revenues and expenditures under the
7 appropriation account under s. 20.410 (3) (hm) and projecting the balance that will
8 remain in that appropriation account on June 30 of that fiscal year. If a report
9 submitted under this paragraph projects a deficit in that appropriation account on
10 June 30 of a fiscal year, the department of corrections shall include in the report a
11 description of the efforts that it is making to reduce operating costs so as to minimize
12 or eliminate that projected deficit.

13 (b) 1. If based on a report submitted under par. (a) for March 15 of an
14 odd-numbered year the joint committee on finance projects that there will be a
15 deficit in the appropriation account under s. 20.410 (3) (hm) on June 30 of that year,
16 the joint committee on finance shall ensure that the per person daily cost
17 assessments under sub. (4) (d) 2. and 3. for care in a Type 1 secured correctional
18 facility, as defined in s. 938.02 (19), for the next fiscal biennium are sufficient to
19 recoup that projected deficit by adding 50% of that projected deficit to the cost basis
20 used to determine the per person daily cost assessment under sub. (4) (d) 2. for care
21 in a Type 1 secured correctional facility, as defined in s. 938.02 (19), for the first year
22 of the next fiscal biennium and by adding 50% of that projected deficit to the cost
23 basis used to determine the per person daily cost assessment under sub. (4) (d) 3. for
24 care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), for the 2nd
25 year of the next fiscal biennium.

1 2. The secretary of administration shall place in unallotted reserve and use to
2 recoup the projected deficit specified in subd. 1. all moneys generated by the
3 increases in the per person daily cost assessments specified in subd. 1. that result
4 from adding that projected deficit to the cost basis specified in subd. 1.

5 (c) If on June 30 of the odd-numbered year of the next fiscal biennium the
6 moneys placed in unallotted reserve under par. (b) 2. exceed the amount of the actual
7 deficit on June 30 of the odd-numbered year of the fiscal biennium in which that
8 deficit was incurred, all moneys in excess of that actual deficit shall be remitted to
9 the counties or transferred to the appropriation account under s. 20.410 (3) (kx) by
10 September 30 of that odd-numbered year. Each county and the department shall
11 receive a proportionate share of the remittance and transfer depending on the total
12 number of days of placement at Type 1 secured correctional facilities, as defined in
13 s. 938.02 (19), for each county and the state. Counties shall use any amounts
14 remitted under this paragraph for the purposes specified in this section. The
15 department shall deposit in the general fund the amounts transferred under this
16 paragraph to the appropriation account under s. 20.410 (3) (kx).”.

17 **4.** Page 1081, line 3: after that line insert:

18 “(2f) JUVENILE CORRECTIONAL SERVICES REVENUE SUFFICIENCY. The joint
19 committee on finance shall add \$284,700 to the cost basis used to determine the per
20 person daily cost assessment under section 301.26 (4) (d) 2. of the statutes, as affected
21 by this act, for care in a Type I secured correctional facility, as defined in section
22 938.02 (19) of the statutes, for fiscal year 2003–04 and \$284,600 to the cost basis used
23 to determine the per person daily cost assessment under section 301.26 (4) (d) 3. of
24 the statutes, as affected by this act, for care in a Type I secured correctional facility,

and use to recoup any actual deficit in the appropriation account under section 20.410[✓](3) (hm) ~~of~~ 2001 stats, as of June 30, 2003,

1 as defined in section 938.02 (19) of the statutes, for fiscal year 2004–05. The
2 secretary of administration shall place in unallotted reserve all moneys generated
3 by the increases in those per person daily cost assessments that result from adding
4 those amounts to those cost bases.”.

5 **5.** Page 1106, line 12: after that line insert:

6 “(2d) JUVENILE CORRECTIONAL SERVICES TRANSFER.

7 (a) There is transferred from the appropriation account under section 20.410
8 (3) (ho) of the statutes, as affected by the acts of 2003, to the appropriation account
9 under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2003, \$439,200
10 in fiscal year 2003–04.

11 (b) There is transferred from the appropriation account under section 20.410
12 (3) (hr) of the statutes, as affected by the acts of 2003, to the appropriation account
13 under section 20.410 (3) (hm) of the statutes, as affected by the acts of 2003,
14 \$2,437,100 in fiscal year 2003–04.”.

15 **6.** Page 1133, line 19: after that line insert:

16 “(2f) JUVENILE CORRECTIONAL SERVICES REVENUE SUFFICIENCY. SECTION 9130 (2f)
17 of this act takes effect retroactively to March 15, 2003.”.

18 (END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0164/7
GMM:jld&kjf:rs

LFB:.....Zimmerman – Juvenile correctional services deficit

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

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

2 1. Page 364, line 3: delete lines 3 to 24.

3 2. Page 365, line 1: delete lines 1 and 2 and substitute:

4 “SECTION 441d. 20.410 (3) (hm) of the statutes is amended to read:

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12 county and the department shall receive a proportionate share of the remittance and
13 transfer depending on the total number of days of placement at juvenile correctional
14 institutions including the Mendota Juvenile Treatment Center. Counties shall use
15 the funds for purposes specified in s. 301.26. The department shall deposit in the
16 general fund the amounts transferred under this paragraph to the appropriation
17 account under par. (kx). Notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and
18 20.903, the department may report a projected deficit in this appropriation account
19 on June 30 of any odd-numbered year as provided in s. 301.26 (5) (a), the joint
20 committee on finance may project a deficit in this appropriation account on June 30
21 of any odd-numbered year as provided in s. 301.26 (5) (b) 1., and any deficit projected
22 under s. 301.26 (5) (b) 1. shall be recouped during the next fiscal biennium as
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12 or eliminate that projected deficit.

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23 basis used to determine the per person daily cost assessment under sub. (4) (d) 3. for
24 care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), for the 2nd
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2 recoup the projected deficit specified in subd. 1. all moneys generated by the
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4 from adding that projected deficit to the cost basis specified in subd. 1.

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7 deficit on June 30 of the odd-numbered year of the fiscal biennium in which that
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15 department shall deposit in the general fund the amounts transferred under this
16 paragraph to the appropriation account under s. 20.410 (3) (kx).”.

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19 committee on finance shall add \$284,700 to the cost basis used to determine the per
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22 938.02 (19) of the statutes, for fiscal year 2003–04 and \$284,600 to the cost basis used
23 to determine the per person daily cost assessment under section 301.26 (4) (d) 3. of
24 the statutes, as affected by this act, for care in a Type I secured correctional facility,

1 as defined in section 938.02 (19) of the statutes, for fiscal year 2004–05. The
2 secretary of administration shall place in unallotted reserve and use to recoup any
3 actual deficit in the appropriation account under section 20.410 (3) (hm), 2001 stats.,
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8 (a) There is transferred from the appropriation account under section 20.410
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19 (END)