

**SENATE AMENDMENT 112,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2003 SENATE BILL 44**

June 18, 2003 – Offered by Senator CHVALA.

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

2 **1.** Page 185, line 8: delete lines 8 and 9.

3 **2.** Page 311, line 7: after that line insert:

4 **“SECTION 440g.** 20.410 (1) (gi) of the statutes is amended to read:

5 20.410 **(1)** (gi) *General operations.* The amounts in the schedule to operate  
6 institutions and provide field services and administrative services. All moneys  
7 received under ~~s. 303.01 (8) that are attributable to moneys collected from earnings~~  
8 ~~of inmates and residents under s. 303.01 (2) (em) and all moneys received under ss.~~  
9 302.386 (2m) and (3) (d) and 303.065 (6) shall be credited to this appropriation  
10 account.

11 **SECTION 440m.** 20.410 (1) (hm) of the statutes is repealed.

12 **SECTION 440r.** 20.410 (1) (km) of the statutes is amended to read:

1           20.410 (1) (km) *Prison industries*. The amounts in the schedule for the  
2 establishment and operation of prison industries, ~~but not including the program~~  
3 ~~under s. 303.01 (2) (em)~~. All moneys received from prison industries sales shall be  
4 credited to this appropriation. All moneys credited to this appropriation shall be  
5 expended first for the purpose under par. (ko). No expenditure may be made from this  
6 appropriation for the construction of buildings or purchase of equipment for new  
7 prison industries, except upon approval of the joint committee on finance after a  
8 determination that the moneys are needed and that no other appropriation is  
9 available for that purpose.”.

10           **3.** Page 339, line 17: after that line insert:

11           “**SECTION 560m.** 20.455 (5) (i) of the statutes is repealed.

12           **SECTION 560t.** 20.455 (5) (kj) of the statutes is amended to read:

13           20.455 (5) (kj) *Victim payments, victim surcharge*. The amounts in the schedule  
14 for the payment of compensation and funeral and burial expenses awards to the  
15 victims of crimes under ch. 949. All moneys transferred from the appropriation  
16 account under par. (g) shall be credited to this appropriation account. If the  
17 department of justice determines that the total of the amounts in this appropriation  
18 account and the amounts for compensation and awards to victims of crime under ch.  
19 949 in the appropriation accounts under pars. (b), (h), (i) and (m) exceeds the amount  
20 needed to fully fund compensation and awards to victims of crimes under ch. 949, the  
21 department of justice may transfer moneys from this appropriation account to the  
22 appropriation account under par. (kk). The amount transferred to the appropriation  
23 account under par. (kk) may not exceed the amount by which the total amounts  
24 appropriated under this paragraph and pars. (b), (h), (i) and (m) for compensation

1 and awards to victims of crimes under ch. 949 exceed the amount needed to fully fund  
2 compensation and awards to victims of crimes under ch. 949.”.

3 **4.** Page 770, line 16: after that line insert:

4 “**SECTION 1953m.** 108.07 (8) (b) of the statutes is amended to read:

5 108.07 **(8)** (b) If a claimant is a prisoner of a state prison, as defined in s. 302.01,  
6 and has employment with an employer other than the department of corrections or  
7 a private business leasing space within a state prison under s. 303.01 (2) (em), and  
8 the claimant’s employment terminates because conditions of incarceration or  
9 supervision make it impossible to continue the employment, the department shall  
10 charge to the fund’s balancing account any benefits based on the terminated  
11 employment that are otherwise chargeable to the account of an employer that is  
12 subject to the contribution requirements under ss. 108.17 and 108.18.”.

13 **5.** Page 806, line 3: after that line insert:

14 “**SECTION 2045g.** 132.13 (1) (a) of the statutes is renumbered 132.13 (1).

15 **SECTION 2045r.** 132.13 (1) (b) of the statutes is repealed.”.

16 **6.** Page 934, line 2: after that line insert:

17 “**SECTION 2500m.** 301.31 of the statutes is amended to read:

18 **301.31 Wages to prisoners.** The department may provide for assistance of  
19 prisoners on their discharge; for the support of their families while the prisoners are  
20 in confinement; or for the payment, either in full or ratably, of their obligations  
21 acknowledged by them in writing or which have been reduced to judgment by the  
22 allowance of moderate wages, to be paid from the operation, maintenance, farm and  
23 construction appropriations of the institution in which they are confined. Until the  
24 prisoner’s final discharge, the funds arising from the wages shall be under the

1 control of the officer in charge of the institution and shall be used for the benefit of  
2 the prisoner, the prisoner's family and other obligations specified in this section.  
3 Earnings by inmates working in the prison industries and the retention and  
4 distribution thereof shall be governed by ss. s. 303.01 (4) and (8) ~~and 303.06 (2)~~.”.

5 **7.** Page 937, line 2: after that line insert:

6 “**SECTION 2506gn.** 303.01 (2) (em) of the statutes is repealed.

7 **SECTION 2506kb.** 303.01 (8) (b) of the statutes is amended to read:

8 303.01 **(8)** (b) The department shall distribute earnings of an inmate or  
9 resident, ~~other than an inmate or resident employed under sub. (2) (em)~~, for the crime  
10 victim and witness assistance surcharge under s. 973.045 (4), for the delinquency  
11 victim and witness assistance surcharge under s. 938.34 (8d) (c), and for the  
12 deoxyribonucleic acid analysis surcharge under s. 973.046 (4) ~~and for compliance~~  
13 ~~with s. 303.06 (2)~~ and may distribute earnings for the support of the inmate's or  
14 resident's dependents and for other obligations either acknowledged by the inmate  
15 or resident in writing or which have been reduced to judgment that may be satisfied  
16 according to law.

17 **SECTION 2506kg.** 303.01 (8) (c) of the statutes is repealed.

18 **SECTION 2506km.** 303.01 (8) (d) of the statutes is repealed.

19 **SECTION 2506kq.** 303.01 (8) (e) of the statutes is repealed.

20 **SECTION 2506ks.** 303.01 (11) of the statutes is repealed.

21 **SECTION 2506mg.** 303.06 (2) of the statutes is repealed.

22 **SECTION 2506mm.** 303.06 (3) of the statutes is repealed.”.

23 **8.** Page 937, line 3: after that line insert:

24 “**SECTION 2507m.** 303.21 (1) (b) of the statutes is amended to read:

