

2003 DRAFTING REQUEST

Assembly Amendment (AA-SB44)

Received: 06/18/2003

Received By: gmalaise

Wanted: As time permits

Identical to LRB:

For: James Kreuser (608) 266-5504

By/Representing: John Grabel

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Children - juvenile justice

Extra Copies:

Submit via email: YES

Requester's email: Rep.Kreuser@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Juvenile correctional services daily rates

Instructions:

See Attached--set daily rates at 2002-03 level for each year of next biennium. Require DOC to absorb deficits by reducing operational costs of providing juvenile correctional services.

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>
/?	gmalaise 06/18/2003	wjackson 06/18/2003		_____			
/P1			chaskett 06/19/2003	_____			

<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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FE Sent For:

<END>

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/? gmalaise

1/1 Wlj 6/18

1/1 gph
6/15

1/1 gph
6/15

FE Sent For:

1 cjs 6/19
03


<ENB>

1 Wlj 6/19

Malaise, Gordon

From: Hanaman, Cathlene
Sent: Wednesday, June 18, 2003 10:34 AM
To: Malaise, Gordon
Subject: FW:

Here's another Kreuser request.

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

From: Grabel, John
Sent: Wednesday, June 18, 2003 10:30 AM
To: Hanaman, Cathlene
Cc: Adrian, Scott; Andriacchi, Nick; Krifka, Nancy; Lundquist, Lisa; Nuutinen, Aaron; Wilson, A.J.
Subject:

Corrections-Juvenile Corrections

This amendment would set the statutory daily rates for juvenile care at this year's rates (see table on pg. 200 of comparative summary) for both years of the upcoming biennium. Further, if necessary specify the decreased revenue be absorbed through operational costs within the Department of Corrections Juvenile Corrections budget.

John Grabel

Office of Representative Jim Kreuser
Assembly Democratic Leader
608-266-5124

**Average Daily Population
Joint Finance Modifications**

	<u>Governor 2003-04</u>	<u>Jt. Finance 2003-04</u>	<u>Change to SB 44</u>	<u>Governor 2004-05</u>	<u>Jt. Finance 2004-05</u>	<u>Change to SB 44</u>
Secured Correctional Facilities	830	800	-30	829	800	-29
Other Placements						
Corrective Sanctions	136	136	0	136	136	0
Aftercare Services	<u>242</u>	<u>242</u>	<u>0</u>	<u>238</u>	<u>238</u>	<u>0</u>
Subtotal -- Other	378	378	0	374	374	0
Total ADP	1,208	1,178	-30	1,203	1,174	-29
Alternate Care	171	161	-10	168	159	-9

2. STATUTORY DAILY RATES [LFB Papers 225, 226, 255, 256, 258, 259, 260, and 261]

Governor: Under current law, daily rates for juvenile care in a given biennium are specified by fiscal year for secured correctional facilities, state aftercare supervision, and for each type of alternate care setting, including residential care centers for children and youth (formerly termed child caring institutions), group homes, treatment foster homes and foster homes. While a single rate for each type of alternate care is set in statute, facilities providing each type of care vary in the daily rates that are charged. It is the Department's responsibility to manage these costs within the total alternate care budget calculated on the basis of a single, average rate and estimated juvenile populations (see the "Alternate Care" entry below).

Establish the following statutory daily rates for juvenile correctional services provided or purchased by the Department that would be charged to counties and paid through counties' youth aids allocations, or paid by the state through the serious juvenile offender appropriation.

**Statutory Daily Rates
Governor**

	Current	Proposed	
	7-1-02 thru <u>6-30-03</u>	7-1-03 thru <u>6-30-04</u>	7-1-04 thru <u>6-30-05</u>
Secured Correctional Facilities*	\$172.51	\$190.00	\$194.00
Residential Care Centers	226.00	225.00	239.00
Group Homes	135.00	142.00	149.00
Corrective Sanctions	84.50	88.00	89.00
Treatment Foster Homes	85.00	88.00	92.00
Regular Foster Homes	43.00	47.00	49.00
Aftercare Supervision	22.66	25.00	26.00

*Including transfers from a secured correctional facility to the Mendota Juvenile Treatment Center.

2003

Date (time) needed _____

LRB b 0728 / P1

BUDGET AMENDMENT

GMM : WLJ : _____

[Not for compile]

See form **AMENDMENTS — COMPONENTS & ITEMS.**

ASSEMBLY AMENDMENT
TO 2003 SENATE BILL 44

At the locations indicated, amend the bill, as shown by senate substitute amendment 1, as follows:

✓ #. Page 311, line 8...: delete lines 8 to 250

✓ #. Page 312, line 1...: delete lines 1 to 13 and substitute ?
↓

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

11 (5)+(6) (B) 441g

Section #. 20.410 (3) (hm) of the statutes is amended to read:

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 (2a)~~ and, except as provided in par. (hr), all moneys received in payment for juvenile correctional services specified in s. 301.26 (4) (d), (d)² and (g) shall be credited to this appropriation account. If moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year institutional costs, ~~other than the cost of operating the correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a),~~ by 2% or more, all moneys in excess of that 2% shall be remitted to the counties during the subsequent calendar year or transferred to the appropriation account under par. (kx) during the subsequent fiscal year. Each county and the department shall receive a proportionate share of the remittance and transfer depending on the total number of days of placement at juvenile correctional institutions including the Mendota Juvenile Treatment Center. Counties shall use the funds for purposes specified in s. 301.26. The department shall deposit in the general fund the amounts transferred under this paragraph to the appropriation account under par. (kx). 11/6

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.

11

√ #. Page 929, line 21: delete lines 21 to 250

√ #. Page 930, line 1: delete lines 1 to 250
~~1 to 25~~

√ #. Page 931, line 1: delete lines 1 to 250

#. Page 932, line 1: delete lines 1 to 4 and substitute ↕

~~#. Page, line~~

~~#. Page, line~~



2492g

11

Section #. 301.26 (4) (d) 2. of the statutes is amended to read:

(was twice)

\$172.51

2003

2004

301.26 (4) (d) 2. Beginning on July 1, 2001, and ending on June 30, 2002, the per person daily cost assessment to counties shall be ~~\$167.57~~ for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~\$167.57~~ for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~\$213~~ for care in a residential care center for children and youth, ~~\$129~~ for care in a group home for children, ~~\$41~~ for care in a foster home, ~~\$81~~ for care in a treatment foster home, ~~\$82.56~~ for departmental corrective sanctions services, and ~~\$21.96~~ for departmental aftercare services.

\$226

\$135

\$85

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109.

\$84.50

\$43

\$22.66



2492
24939

Section #. 301.26 (4) (d) 3. of the statutes is amended to read:

2004

2005

301.26 (4) (d) 3. Beginning on July 1, ~~2002~~, and ending on June 30, ~~2002~~, the per person daily cost assessment to counties shall be \$172.51 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), \$172.51 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), \$226 for care in a residential care center for children and youth, \$135 for care in a group home for children, \$43 for care in a foster home, \$85 for care in a treatment foster home, \$84.50 for departmental corrective sanctions services and \$22.66 for departmental aftercare services.

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109.



SECTION 2493n. CR, 301.26(5)

301.26(5) REVENUE SUFFICIENCY IF the

department of corrections projects that there will be a deficit in the appropriation account under s.

20.410 (3) (hm), (hs), or (hr) on June 30 of a fiscal

year, the department of corrections shall propose and submit to the department of administration under s.

16.513 (3) a plan to ensure that there are sufficient

money, assets, ^{or} and accounts receivable in ^{those} ~~that~~ appropriation

accounts to meet the projected expenditures under those

appropriation accounts. The plan shall provide for that ^{Projected} a

deficit to be ~~not~~ absorbed by the department of

corrections reducing the operational costs of providing

juvenile correctional services.

(CR)



Page 1075, line 11[^] ↓ delete lines 11 to 220

Page 1148, line 14[^] ↓ delete lines ~~14~~ and 150

(End)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0728/P1
GMM:wlf:cph

NOTE

CS

1
RUR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,
TO 2003 SENATE BILL 44

as shown
by Senate
substitute
amendment
1

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

2 1. Page 311, line 8: delete lines 8 to 25.

3 2. Page 312, line 1: delete lines 1 to 13 and substitute:

4 "SECTION 441g. 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
12 from miscellaneous services provided at a juvenile correctional institution operated

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

16 **3.** Page 929, line 21: delete lines 21 to 25.

17 **4.** Page 930, line 1: delete lines 1 to 25.

18 **5.** Page 931, line 1: delete lines 1 to 25.

19 **6.** Page 932, line 1: delete lines 1 to 4 and substitute:

20 ~~SECTION 301.26~~ 301.26 (4) (d) 2. of the statutes is amended to read:

21 301.26 (4) (d) 2. Beginning on July 1, 2001 2003, and ending on June 30, 2002
 22 2004, the per person daily cost assessment to counties shall be ~~\$167.57~~ \$172.51 for
 23 care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~\$167.57~~
 24 \$172.51 for care for juveniles transferred from a juvenile correctional institution

24929

① under s. 51.35 (3), ~~\$213~~ \$227 for care in a residential care center for children and
2 youth, ~~\$129~~ \$135 for care in a group home for children, ~~\$41~~ \$43 for care in a foster
3 home, ~~\$81~~ \$85 for care in a treatment foster home, ~~\$82.56~~ \$84.50 for departmental
4 corrective sanctions services, and ~~\$21.96~~ \$22.66 for departmental aftercare services.

5 **SECTION 2493g.** 301.26 (4) (d) 3. of the statutes is amended to read:

6 301.26 (4) (d) 3. Beginning on July 1, ~~2002~~ 2004, and ending on June 30, ~~2003~~
7 2005, the per person daily cost assessment to counties shall be \$172.51 for care in a
8 Type 1 secured correctional facility, as defined in s. 938.02 (19), \$172.51 for care for
9 juveniles transferred from a juvenile correctional institution under s. 51.35 (3), \$226
10 for care in a residential care center for children and youth, \$135 for care in a group
11 home for children, \$43 for care in a foster home, \$85 for care in a treatment foster
12 home, \$84.50 for departmental corrective sanctions services and \$22.66 for
13 departmental aftercare services.

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

15 301.26 (5) REVENUE SUFFICIENCY. If the department of corrections projects that
16 there will be a deficit in the appropriation account under s. 20.410 (3) (hm), (ho), or
17 (hr) on June 30 of a fiscal year, the department of corrections shall propose and
18 submit to the department of administration under s. 16.513 (3) a plan to ensure that
19 there are sufficient moneys, assets, or accounts receivables in those appropriation
20 accounts to meet the projected expenditures under those appropriation accounts.
21 The plan shall provide for that projected deficit to be absorbed by the department of
22 corrections reducing the operational costs of providing juvenile correctional
23 services.”.

24 **7.** Page 1075, line 11: delete lines 11 to 22.

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

LRBb0728/1dn
GMM:cs:rs

June 19, 2003

Representative Kreuser:

This amendment sets the daily rates charged to counties for juvenile correctional services at the fiscal year 2002-03 level for fiscal years 2003-04 and 2004-05. The amendment also requires DOC to make up any deficits in the juvenile correctional services appropriations by reducing the operational costs of providing juvenile correctional services.

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E-mail: gordon.malaise@legis.state.wi.us