

2007 DRAFTING REQUEST

Bill

Received: 12/13/2006

Received By: rryan

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Rhodes

This file may be shown to any legislator: NO

Drafter: rryan

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Subject: Criminal Law - drugs

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Rhodes, BB0215 -

Topic:

Drug Abuse Program Improvement Surcharge

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>
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/1	rryan 12/13/2006	kfollett 12/13/2006	rschluet 12/13/2006	_____	sbasford 12/13/2006		

FE Sent For:

<END>

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FE Sent For:

<END>

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Drug Abuse Program Improvement Surcharge
- Tracking Code: BB0215
- SBO team: Health and Insurance
- SBO analyst: Dennis Rhodes
 - Phone: 6-2288
 - Email: dennis.rhodes@wisconsin.gov
- Agency acronym: DHFS
- Agency number: 435
- Priority: Medium

Drug Abuse Program Improvement Surcharge

Current Language

s. 961.41 (5) (2) (c) (1)

s. 961.41 (5) (2) (c) (2)

Proposed Change

Modify s. 961.41 (5) (2) (c) (1) to read as follows:

Two-thirds of all moneys collected or \$850,000 whichever is greater for fiscal year 2007-08 collected from drug surcharges under this sub-section shall be credited to the appropriation account under s. 20.435 (6) (gb).

Two-thirds of all moneys collected or \$850,000 whichever is greater for fiscal year 2008-09 collected from drug surcharges under this sub-section shall be credited to the appropriation account under s. 20.435 (6) (gb).

Modify s. 961.41 (5) (2) (c) (2) to read as follows:

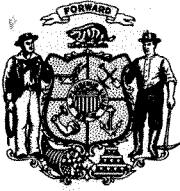
One-third of all moneys collected or money collected in excess of \$850,000 for fiscal year 2007-08, whichever is less, of all moneys collected from drug surcharges under this sub-section shall be credited to the appropriation account under s. 20.505 (6) (ku).

One-third of all moneys collected or money collected in excess of \$850,000 for fiscal year 2008-09, whichever is less, of all moneys collected from drug surcharges under this sub-section shall be credited to the appropriation account under s. 20.505 (6) (ku).

Background and Rationale for the Change

Total costs of the Drug Abuse Program Improvement Surcharge (DAPIS) are re-estimated every biennium to take into account pay plan increases and other program initiative changes. The proposed changes are requested to ensure that DHFS has sufficient revenues to fund its current DAPIS funded activities.

Desired Effective Date: Upon passage
Agency: DHFS
Agency Contact: Janet Fredrick
Phone: 266-5380



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1122/2

RLR:...

In 12/13/08

kyf

DOA:.....Rhodes, BB0215 - Drug Abuse Improvement Surcharge

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

RMR

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

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

CIRCUIT COURTS

Under current law, courts impose a drug abuse program improvement surcharge on persons who are fined for criminal violations relating to the manufacture, distribution, delivery, or possession of a controlled substance. This bill allocates moneys collected from the surcharge to DHFS and to the Office of Justice Assistance.

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

2 SECTION 1. 961.41 (5) (c) of the statutes, as affected by 2005 Wisconsin Act 25,
3 is amended to read:
4 961.41 (5) (c) 1. ~~Two-thirds~~ The first \$850,000 plus two-thirds of all moneys
5 in excess of \$1,275,000 collected in each fiscal year from drug surcharges under this
6 subsection shall be credited to the appropriation account under s. 20.435 (6) (gb).

1 2. ~~One-third of all~~ All moneys in excess of \$850,000 and up to \$1,275,000 plus
 2 one-third of moneys in excess of \$1,275,000 collected in each fiscal year from drug
 3 surcharges under this subsection shall be credited to the appropriation account
 4 under s. 20.505 (6) (ku).

5 NOTE: NOTE: Par. (c) is repealed and recreated eff. 7-1-07 by 2005 Wis. Act 25 to read: NOTE:
 6 (c) 1. ~~Two-thirds of all moneys collected from drug surcharges under this subsection shall be credited to the appropriation account under s. 20.435 (6) (gb).~~
 7 2. ~~One-third of all moneys collected from drug surcharges under this subsection shall be credited to the appropriation account under s. 20.505 (6) (ku).~~
 8 History: 1971 c. 219, 307; 1973 c. 12; 1981 c. 90, 314; 1985 a. 328; 1987 a. 339, 403; 1989 a. 31, 56, 121; 1991 a. 39; 138; 1993 a. 98, 118, 437, 482; 1995 a. 201; 1995
 9 a. 448 ss. 243 to 266, 487 to 490; Stats. 1995 s. 961.41; 1997 a. 220, 283; 1999 a. 21, 32, 48, 57; 2001 a. 16, 109; 2003 a. 33, 49, 139, 320, 325, 327; 2005 a. 14, 25, 52, 262.

SECTION 9407. Effective dates; Circuit Courts.

8 (1) DRUG ABUSE PROGRAM IMPROVEMENT SURCHARGE. The treatment of section
 9 961.41 (5) (c) of the statutes takes effect on July 1, 2007.

(END)



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1122/1

RLR:kjf:rs

DOA:.....Rhodes, BB0215 - Drug Abuse Program Improvement Surcharge
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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