

2015 DRAFTING REQUEST

Bill

Received: **1/5/2015** Received By: **emueller**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget** By/Representing: **Mette**
May Contact: Drafter: **emueller**
Subject: **Drunk Driving - other** Addl. Drafters: **tdodge**
Extra Copies: **ZDW, ARG, PJH**

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to: **sbostatlanguage@webapps.wi.gov**
eric.mueller@legis.wisconsin.gov

Pre Topic:

DOA:.....Mette, BB0343 -

Topic:

Intensive supervision program

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>
/?	emueller 1/13/2015			_____			
/P1	tdodge 1/13/2015	kfollett 1/19/2015	jfrantze 1/19/2015	_____	lparisi 1/19/2015		

FE Sent For:

<END>

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1?	emueller	1/16/15					
1	EUM 1/13/15	1/19					

FE Sent For:

Mueller, Eric

From: CathleneH <cathleneh@gmail.com>
Sent: Monday, December 22, 2014 2:04 PM
To: Wyatt, Zachary; Mueller, Eric
Subject: Fwd: Statutory Language Drafting Request - BB0343

Sent from my iPhone

Begin forwarded message:

From: <Bryan.Mette@Wisconsin.gov>
Date: December 22, 2014 at 1:05:56 PM AST
To: <cathlene.hanaman@legis.wisconsin.gov>
Cc: <Paul2.Ziegler@wisconsin.gov>, <Bryan.Mette@wisconsin.gov>, <Christopher.Connor@wisconsin.gov>
Subject: Statutory Language Drafting Request - BB0343

Biennial Budget: 2015-17

DOA Tracking Code: BB0343

Topic: Intensive Supervision Program

SBO Team: TLGED

SBO Analyst: Mette, Bryan - DOA
Phone: 608-266-1039
E-mail: Bryan.Mette@Wisconsin.gov

Agency Acronym: WisDOT

Agency Number: 395

Priority: Medium

Intent:

Transfer the program under s. 85.53 to the Department of Health Services

Delete the appropriation under 20.395(5)(jr).

Do not provide an increase in funding to DHS.

Attachments: False

Please send completed drafts to SBOStatlanguage@webapps.wi.gov



G TJD



of

DOA:.....Mette, BB0343 – Intensive supervision program

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

RMR

INSERT

1/16/15

Don't Gen

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

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

X
X
+
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X

Under current law, DOT administers a pretrial intoxicated driver intervention grant program. Under the program, DOT awards grants to cities, villages, towns, counties, or private nonprofit organizations to administer local pretrial intoxicated driver intervention programs that, prior to the sentencing of a defendant for operating while intoxicated, do all of the following: 1) identify the defendant and notify him or her of the availability and cost of the program and that, if the defendant is convicted, a court will consider the defendant's participation in the program when imposing a sentence; 2) monitor the defendant's use of intoxicants to reduce the incidence of abuse; 3) treat the defendant's abuse of intoxicants to reduce the incidence of abuse; 4) report to the court on the defendant's participation in the program; and 5) require program participants to pay a reasonable fee to participate in the program.

Under this bill, administration of the pretrial intoxicated driver intervention grant program is transferred to DHS.

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

Insert 2-2

1 SECTION 1. 20.395 (5) (jr) 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.

2 SECTION 2. 85.53 of the statutes is renumbered 51.49, and 51.49 (3), as
3 renumbered, is amended to read:

4 **51.49 (3)** ~~Grants under this section shall be paid from the appropriation under~~
5 ~~s. 20.395 (5) (jr).~~ The amount of a grant under this section may not exceed 80% of
6 the amount expended by an eligible applicant for services related to the program.

History: 1997 a. 27; 1999 a. 9, 185; 2013 a. 83.

7 SECTION 3. 346.65 (2m) (b) of the statutes is amended to read:

8 346.65 (2m) (b) The court shall consider a report submitted under s. 85.53
9 51.49 (2) (d) when imposing a sentence under sub. (2), (2q), or (3m).

History: 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33, 97, 139, 326; 2005 a. 149, 317, 389; 2007 a. 97, 111; 2009 a. 100, 180; 2011 a. 258; 2013 a. 39, 224.

10

(END)

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1093/P1insTD
TJD:.....

INSERT 2-2

SECTION 1. 20.435 (5) (bc) of the statutes is amended to read:

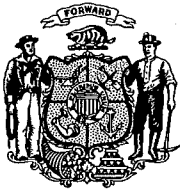
20.435 (5) (bc) *Grants for community programs.* The amounts in the schedule for grants for and contracts to establish community programs under s. 46.48, for pretrial intoxicated driver intervention grants under s. 51.49, and for opioid treatment programs under s. 51.422. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Except for amounts authorized to be carried forward under s. 46.48 and as otherwise provided in this paragraph, all funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department shall transfer from this appropriation account to the appropriation account for the department of children and families under s. 20.437 (2) (dz) funds allocated by the department under s. 46.48 (30) but unexpended on June 30 of each year.

NOTE: NOTE: Par. (bc) is shown as affected by 2013 Wis. Acts 129 and 195 and as merged by the legislative reference bureau under s. 43.92 (2) (i). **NOTE:**

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; 2009 a. 2, 15; 2009 a. 28 ss. 325 to 470, 485, 488, 490; 2009 a. 76, 180, 190, 219, 274, 276, 279, 318, 334; 2011 a. 32, 70, 257; 2013 a. 20, 92; 2013 a. 116 s. 31; 2013 a. 126, 127, 129, 131, 132, 137; 2013 a. 166 s. 77; 2013 a. 168 s. 21; 2013 a. 195, 203, 246; s. 13.92 (2) (i).

****NOTE: I did not see any existing language in the DHS mental health program appropriations that would allow these grants to be made at all. Therefore, I have added language to one of the DHS appropriations to allow the payment of the grants.

END INSERT 2-2



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-1093/P1
EVM&TJD:kjf:jf

DOA:.....Mette, BB0343 – Intensive supervision program

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

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7 (1), the department may transfer funds between fiscal years under this paragraph.
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11 to the next calendar year by the joint committee on finance. Notwithstanding ss.
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3

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