

2015 DRAFTING REQUEST

Bill

Received: 1/29/2015 Received By: chanaman
Wanted: As time permits Same as LRB:
For: Legislative Reference Bureau By/Representing:
May Contact: Drafter: chanaman
Subject: State Govt - miscellaneous Addl. Drafters:
Extra Copies:

Submit via email: NO

Requester's email:

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Compiled analyses for budget

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>
/P1	chanaman			_____			
	1/29/2015			_____			

FE Sent For:

<END>

ANALYSIS CHUNKS

P4.01



.....
jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to ???.

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -1191/P2 ***

AGRICULTURE

Under current law, the Board of Agriculture, Trade and Consumer Protection is the policy-making entity for DATCP. The board approves DATCP's rules and appoints high-level staff. This bill transfers this authority from the board to the secretary of agriculture, trade and consumer protection. The bill also changes the Board of Agriculture, Trade and Consumer Protection to a council, which is an advisory body.

(board)

and changes the board

NATURAL RESOURCES

OTHER NATURAL RESOURCES

Under current law, the Natural Resources Board is the policy-making entity for DNR. The board approves DNR's rules, sells land, and appoints high-level staff. This bill transfers this authority from the board to the secretary of natural resources. The bill also changes the Natural Resources Board to a council, which is an advisory body.

*** ANALYSIS FROM -0332/1 ***

AGRICULTURE

which

Under current law, DATCP administers the Soil and Water Resource Management Program. The program awards grants to counties to help fund their land and water conservation activities. This bill increases the general obligation bonding authority for the Soil and Water Resource Management Program by \$7,000,000.

this program ✓

conduct

*** ANALYSIS FROM -1228/P2 ***

AGRICULTURE

This bill creates a program under which DATCP provides grants ^{to} ~~for nonpoint~~ source pollution abatement activities implemented through groups of farmers who assist ~~the~~ farmers within a watershed to voluntarily implement those activities. Nonpoint source pollution is water pollution that originates from a diffuse source, such as runoff from fields.

other

*** ANALYSIS FROM -1036/P1 ***

AGRICULTURE

This bill transfers \$1,000,000 from the agricultural chemical cleanup fund to the environmental fund each fiscal year of the 2015-17 biennium.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

to reduce nonpoint source pollution



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1517/P1
...jld;jm

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: ???.

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -1191/P2 ***

AGRICULTURE

Under current law, the Board of Agriculture, Trade and Consumer Protection (board) is the policy-making entity for DATCP. The board approves DATCP's rules and appoints high-level staff. This bill transfers this authority from the board to the secretary of agriculture, trade and consumer protection and changes the board to a council, which is an advisory body.

*** ANALYSIS FROM -0332/1 ***

Under current law, DATCP administers the Soil and Water Resource Management Program, which awards grants to counties to help fund their land and water conservation activities. This bill increases the general obligation bonding authority for this program by \$7,000,000.

*** ANALYSIS FROM -1228/P2 ***

This bill creates a program under which DATCP provides grants to groups of farmers who assist other farmers within a watershed to conduct activities to reduce nonpoint source pollution. Nonpoint source pollution is water pollution from a diffuse source, such as runoff from fields.

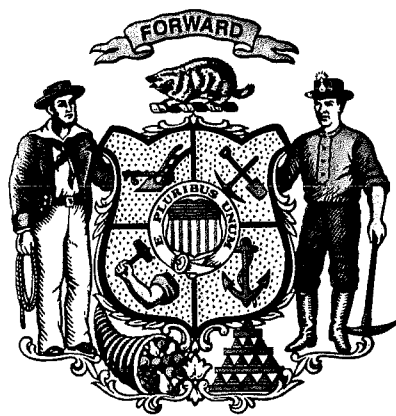
*** ANALYSIS FROM -1036/P1 ***

This bill transfers \$1,000,000 from the agricultural chemical cleanup fund to the environmental fund each fiscal year of the 2015-17 biennium.

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

1

(END)





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

KJF

FUSEA MPB

Effective January 1, 2016

1 AN ACT ...; relating to: ???.

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -1215/P2 ***

COMMERCE AND ECONOMIC DEVELOPMENT

HOUSING AND ECONOMIC DEVELOPMENT

Under current law, WEDC is an authority, which is a public body corporate and politic, that has as its primary function the development, implementation, and administration of economic development programs in Wisconsin. Also under current law, WHEDA is an authority whose primary function is to establish and administer housing programs in Wisconsin, especially housing programs for persons and families of low and moderate income. Like WEDC, WHEDA is also tasked with developing, implementing, and administering economic development programs in the state.

This bill eliminates WEDC and WHEDA and merges their functions into a new authority to be known as the Forward Wisconsin Development Authority.

(FWDA)

stays → *** ANALYSIS FROM -1359/P2 ***

COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

This bill requires the Forward Wisconsin Development Authority to establish a regional revolving loan fund grant program and creates an appropriation for that purpose. Under the program, the authority may make grants to organizations within multicounty regions for the purpose of creating regional loan funds.

FWDA

created in the bill

under which → *** ANALYSIS FROM -1496/P2 ***

stays →

Wisconsin

COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

This bill authorizes DOA to award up to a total of \$15,000,000 in grants to a city in the state for an economic development district that includes a community arts center and a mixed-use development. Before DOA awards any grant under the bill, the city must submit to DOA a financial plan for the economic development district that includes matching funds, whether cash or in-kind or both, that equal all grant moneys requested and proof of other financing.

stays → *** ANALYSIS FROM -0996/P3 *** ← stays

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

stays → *** ANALYSIS FROM -0365/P2 *** ← stays

COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Under current law, angel investors may receive tax credits for certain investments in businesses certified by WEDC. WEDC may certify a business for purposes of the angel investment tax credit only if the business satisfies specific statutory requirements, including the following:

1. The business is headquartered in Wisconsin.
2. At least 51 percent of the business's employees are employed in Wisconsin.
3. The business has fewer than 100 employees when initially certified by WEDC.
4. The business agrees that it will not relocate outside of Wisconsin during the three years after it receives an eligible angel investment or it must pay a penalty equalling up to 100 percent of the tax credits claimed for that angel investment. Under current law, a business relocates outside of Wisconsin for purposes of the angel investment tax credit if it locates more than 51 percent of its employees, total payroll, or headquarters outside of Wisconsin.

This bill permits WEDC to waive one or more of the above requirements based on standards that must be approved by WEDC's board. The bill also provides that the requirements under item 4, above, do not apply to a business that WEDC certified for purposes of the angel investment tax credit before April 20, 2012, and that executed a convertible note or bond in reliance on that certification.

stays → *** ANALYSIS FROM -0364/P4 ***

COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Under current law, WEDC administers an economic development program under which WEDC may designate areas within the state as "enterprise zones." WEDC may certify a business in an enterprise zone to receive certain tax benefits if the business creates or retains jobs in the enterprise zone, subject to several limitations. Under current law, WEDC may designate up to a total of 20 enterprise zones. This bill raises that cap to 30 enterprise zones.

stays →

*** ANALYSIS FROM -0367/P1 ***

under certain circumstances

Under current law, all records of WEDC are public records, except records relating to pending grants, loans, or economic development projects that, in the opinion of WEDC, must remain confidential to protect the competitive nature of the grant, loan, or project. Also, under current law, WEDC maintains a customer relationship management (CRM) system called the "In Force Network" for economic development purposes.

This bill creates an additional exception to the public records law for information on the In Force Network or other similar CRM system maintained by WEDC, unless the information was published to the In Force Network or other CRM system by WEDC or another economic development organization.

*** ANALYSIS FROM -0445/P2 ***

TOURISM

Under current law, the Kickapoo Reserve Management Board (KRMB) manages the Kickapoo Valley reserve on behalf of the Ho-Chunk Nation and the State of Wisconsin. Currently, the KRMB is attached to the Department of Tourism for administrative purposes. This bill attaches the KRMB to DNR for administrative purposes.

stays → *** ANALYSIS FROM -0446/P1 ***

TOURISM

No. 1 → *Also* Under current law, the Lower Wisconsin State Riverway Board (LWSRB) administers a program to control land use and development along the riverway. Currently, the LWSRB ^(are) is attached to the Department of Tourism for administrative purposes. This bill attaches the LWSRB to DNR for administrative purposes.

the KRMB and *** ANALYSIS FROM -0781/P1 ***

TOURISM

Current law requires the Department of Tourism to expend the following amounts for the following purposes:

1. At least \$125,000 per fiscal year for marketing related to sporting activities and events.
2. At least \$25,000 per fiscal year to sponsor, and to run advertisements during, media broadcasts of the Milwaukee Symphony Orchestra.
3. At least \$200,000 per fiscal year for grants to Native American Tourism of Wisconsin.
4. At least \$50,000 per fiscal biennium for marketing that promotes multicultural events taking place in Wisconsin.
5. At least \$200,000 per fiscal biennium to promote exhibits and activities at the Milwaukee Public Museum.

This bill eliminates all of those mandatory expenditures.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1

(END)

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1518/Plinsmg
MPG:.....

1  [merge with text]

[merge with text] FWDA is governed by a board consisting of 12 members employed in the private sector. All members are nominated by the governor, and with the advice and consent of the senate appointed, to serve staggered four-year terms. Under the bill, the governor nominates FWDA's chief executive officer, subject to board approval and the advice and consent of the senate. The chief executive officer serves at the governor's pleasure. The governor is also required to nominate a chief operating officer, whose appointment is also subject to board approval, but not senate advice and consent. The chief operating officer likewise serves at the governor's pleasure. The bill requires the governor to coordinate with the chief executive officer as if the chief executive officer were the secretary of a department in the executive branch of state government. The board may delegate to the chief executive officer and chief operating officer any powers and duties the board considers proper. Under the bill, FWDA is given all the powers necessary or convenient to carry out its duties, as well as specific powers to conduct its corporate business. FWDA's primary duties are to develop and implement economic development programs and housing programs and projects in Wisconsin.

Hanaman, Cathlene

From: Wyatt, Zachary
Sent: Thursday, January 29, 2015 1:04 PM
To: Hanaman, Cathlene
Subject: Commerce and Economic Development analysis

COMMERCE AND ECONOMIC DEVELOPMENT (MPG, ZDW, ARG, FFK)

Housing and Economic Development

-1215

Economic Development

-1359

-1496

-0996

-0365

-0364

-0367

Tourism

-445

-446

-0781

Commerce of
ED

PUT IN
-1518

and
give
to

~~ZDW~~ ARG
ZDW or ARG

ignore the
attached
page

Zachary D. Wyatt
Legislative Attorney
Wisconsin Legislative Reference Bureau
zachary.wyatt@legis.wisconsin.gov
608.267.3362

COMMERCE AND ECONOMIC DEVELOPMENT
BUSINESS ORGANIZATIONS AND FINANCIAL INSTITUTIONS

-0807

This bill eliminates DFI, including its Division of Banking and Division of Securities, and transfers all of its functions to the Department of Financial Institutions and Professional Standards (DFIPS). The bill also transfers the Office of Credit Unions to DFIPS.

-0809

This bill allows DFIPS to require that any filing, including such filings as license applications, articles of incorporation, financing statements, trademark registrations, reports, and notices, be made electronically. However, a hardship exception allows DFIPS to waive an electronic filing requirement.

-0807/-0962 [dropped in reconciliation]

The bill also reduces an annual transfer of funds from DFIPS to the Office of the Secretary of State.

1
2
3

*This should be all of the drafts
under this subheading — there
should not be any in the
analysis compile.*



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to: ???.**

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -1215/P2 ***

COMMERCE AND ECONOMIC DEVELOPMENT

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Under current law, WEDC is an authority, which is a public body corporate and politic, that has as its primary function the development, implementation, and administration of economic development programs in Wisconsin. Also under current law, WHEDA is an authority whose primary function is to establish and administer housing programs in Wisconsin, especially housing programs for persons and families of low and moderate income. Like WEDC, WHEDA is also tasked with developing, implementing, and administering economic development programs in the state.

Effective January 1, 2016, this bill eliminates WEDC and WHEDA and merges their functions into a new authority, created in the bill to be known as the Forward Wisconsin Development Authority (FWDA). FWDA is governed by a board consisting of 12 members employed in the private sector. All members are nominated by the governor, and with the advice and consent of the senate appointed, to serve staggered four-year terms. Under the bill, the governor nominates FWDA's chief executive officer, subject to board approval and the advice and consent of the senate. The chief executive officer serves at the governor's pleasure. The governor is also required to nominate a chief operating officer, whose appointment is also subject to board approval, but not senate advice and consent. The chief operating officer

likewise serves at the governor's pleasure. The bill requires the governor to coordinate with the chief executive officer as if the chief executive officer were the secretary of a department in the executive branch of state government. The board may delegate to the chief executive officer and chief operating officer any powers and duties the board considers proper. Under the bill, FWDA is given all the powers necessary or convenient to carry out its duties, as well as specific powers to conduct its corporate business. FWDA's primary duties are to develop and implement economic development programs and housing programs and projects in Wisconsin.

***** ANALYSIS FROM -1359/P2 *****

ECONOMIC DEVELOPMENT

This bill requires FWDA to establish a regional revolving loan fund grant program, under which FWDA may make grants to organizations within multicounty regions for the purpose of creating regional loan funds.

***** ANALYSIS FROM -1496/P2 *****

This bill authorizes DOA to award up to a total of \$15,000,000 in grants to a city in Wisconsin for an economic development district that includes a community arts center and a mixed-use development. Before DOA awards any grant under the bill, the city must submit to DOA a financial plan for the economic development district that includes matching funds that equal all grant moneys requested and proof of other financing.

***** ANALYSIS FROM -0996/P3 *****

***** ANALYSIS FROM -0365/P2 *****

Under current law, angel investors may receive tax credits for certain investments in businesses certified by WEDC. WEDC may certify a business for purposes of the angel investment tax credit only if the business satisfies specific statutory requirements. This bill permits WEDC to waive one or more of those requirements based on standards approved by WEDC's board.

***** ANALYSIS FROM -0364/P4 *****

Under current law, WEDC administers an economic development program under which WEDC may designate areas within the state as "enterprise zones." WEDC may certify a business in an enterprise zone to receive certain tax benefits under certain circumstances. Under current law, WEDC may designate up to a total of 20 enterprise zones. This bill raises that cap to 30.

***** ANALYSIS FROM -0367/P1 *****

***** ANALYSIS FROM -0445/P2 *****

TOURISM

Under current law, the Kickapoo Reserve Management Board (KRMB) manages the Kickapoo Valley reserve on behalf of the Ho-Chunk Nation and the State of Wisconsin.

***** ANALYSIS FROM -0446/P1 *****

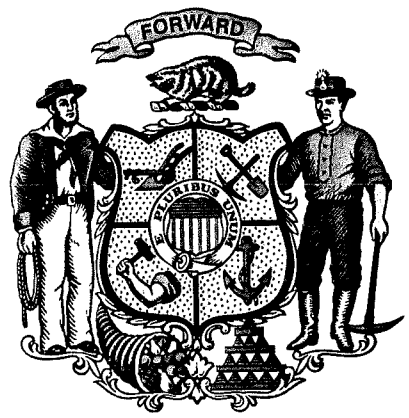
Also under current law, the Lower Wisconsin State Riverway Board (LWSRB) administers a program to control land use and development along the riverway. Currently, the KRMB and the LWSRB are attached to the Department of Tourism for administrative purposes. This bill attaches the KRMB and the LWSRB to DNR.

***** ANALYSIS FROM -0781/P1 *****

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

1

(END)





PJH, GMM, & EHS

jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

INSERT A
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1 AN ACT ...; relating to: ???.

and

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -0407/P3 ***

~~CORRECTIONAL SYSTEM~~

JUVENILE CORRECTIONAL SYSTEM

Current law requires DOC to supervise the administration of juvenile delinquency-related services, to allocate to counties various state and federal moneys to pay for those services (commonly referred to as "youth aids"), to develop standards for the development and delivery of those services, and to provide consultation and technical assistance to counties in the implementation and delivery of those services. Current law also requires each county annually to submit its final budget for those services to DOC and to enter into a contract with DOC for the allocation of youth aids moneys. In addition, current law requires all juvenile delinquency-related services purchased by a county to meet standards established by DOC and requires contracts for the purchase of those services to be written in accordance with rules and procedures established by DOC. Finally, current law defines "department," for purposes of administration of the Juvenile Justice Code, to mean DOC.

This bill sets the amounts of youth aids to be allocated to counties in the 2015-17 fiscal biennium. The bill also, effective on January 1, 2016, transfers from DOC to DCF the responsibility for allocating youth aids to counties and for supervising the administration of community-based juvenile delinquency-related services, which the bill defines as juvenile delinquency-related services other than

juvenile correctional services provided for juveniles who are being held in a juvenile detention facility or who have been adjudged delinquent, ~~placed under the supervision of DOC, and placed in a juvenile correctional facility, the Serious Juvenile Offender Program, or on aftercare supervision administered by DOC. As such, the bill transfers from DOC to DCF the responsibility for developing standards for the development and delivery of community-based juvenile delinquency-related services and for providing consultation and technical assistance to counties in the implementation and delivery of those services. In addition, the bill requires each county annually to submit its final budget for community-based juvenile delinquency-related services to DCF and to enter into a contract with DCF for the allocation of youth aids moneys, requires all community-based juvenile delinquency-related services purchased by a county to meet standards established by DCF, and requires contracts for the purchase of those services to be written in accordance with rules and procedures established by DCF. Finally, the bill redefines "department," for purposes of administration of the Juvenile Justice Code, to mean DCF, except with respect to juvenile correctional services provided by DOC.~~

(JCF)
Under the supervision of
In addition, there

*** ANALYSIS FROM -0209/3 ***

CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law, when a juvenile who has been adjudicated delinquent is placed under the supervision of DOC, DOC may place the juvenile on aftercare supervision, either immediately ~~on placement with DOC~~ or following a period of placement in a ~~juvenile correctional facility (JCF)~~. Currently, aftercare supervision is provided either by DOC or by the county department of human services or social services (county department) of the county in which the juvenile was adjudicated delinquent or of the county of the juvenile's legal residence. ~~if a juvenile violates a condition of his or her aftercare status, the aftercare provider may take the juvenile into custody, and a hearing to determine whether the juvenile's aftercare status should be revoked must be held within 30 days after the juvenile is taken into custody. If the hearing examiner determines that the juvenile has violated a condition of aftercare supervision, the hearing examiner must determine whether confinement in a JCF is necessary to protect the public, provide for the juvenile's rehabilitation, and not depreciate the seriousness of the violation.~~

Under current law, DOC also provides a corrective sanctions program, consisting of intensive surveillance and community-based treatment services, for juveniles who have been adjudicated delinquent, placed under the supervision of DOC, and selected by the Office of Juvenile Offender Review (OJOR) in DOC to participate in the program. ~~A participant in the corrective sanctions program is considered to be in custody and may, if he or she violates a condition of that participation, be placed in a juvenile detention facility or a Type 1 JCF, i.e., Lincoln Hills School (for boys) or Copper Lake School (for girls), without a hearing.~~

This bill, effective on July 1, 2017, or on the second day after publication of the 2017-19 biennial budget act, whichever is later, eliminates aftercare supervision provided by DOC and the corrective sanctions program. Instead, the bill requires DOC to purchase or provide community supervision services for juveniles who have

been placed under the supervision of DOC, ~~either immediately on placement with DOC or following a period of placement in a JCF.~~ The bill permits DOC to purchase or provide for a juvenile who has been placed under community supervision: 1) surveillance, ~~including electronic monitoring or global positioning system tracking,~~ based on the juvenile's level of risk and community safety considerations; 2) youth report center programming for ~~after school, evenings, weekends, other nonschool days, and other~~ times when the juvenile is not under immediate adult supervision; 3) contacts with the juvenile and the juvenile's family of a type, frequency, and duration that are commensurate with the juvenile's level of risk and treatment needs; 4) case management services; and 5) any other treatment or services that are needed to meet the needs of the juvenile ~~as determined by DOC.~~

~~The bill requires OJOR to evaluate each juvenile who is placed under community supervision and permits OJOR to place such a juvenile in Type 2 status, which is defined in the bill as the status of a juvenile who is placed in a Type 2 JCF. A juvenile who is on Type 2 status is considered to be in custody and may, if he or she violates a condition of participation in community supervision, be placed in a juvenile detention facility or a Type 1 JCF without a hearing. A juvenile who is under community supervision, but who is not on Type 2 status, may, if he or she violates a condition of community supervision, have his or her community supervision status revoked in the same manner as aftercare status may be revoked under current law.~~

*** ANALYSIS FROM -0216/P2 ***

CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Current law requires DOC to distribute \$3,750,000 in certain general purpose revenues in each year to counties for early intervention services for first offenders and for intensive community-based intervention services for seriously chronic offenders (community intervention program). This bill instead requires DOC to distribute, in each fiscal year, the amount appropriated for the community intervention program in that fiscal year.

*** ANALYSIS FROM -0217/P1 ***

CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law relating to ~~community youth and family aids,~~ generally referred to as "youth aids," ~~DOC must allocate various state and federal moneys to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services.~~ DOC charges counties for the costs of services provided by DOC according to per person daily cost assessments specified in the statutes (daily rates). Currently, the daily rate is \$301 for care in a Type 1 juvenile correctional facility, \$301 for care for juveniles transferred from a juvenile correctional institution, \$128 for corrective sanctions services, and \$41 for departmental aftercare services. Under this bill, the daily rates are as follows:

1. For fiscal year 2015-16, the daily rate is \$279 for care in a Type 1 juvenile correctional facility, \$279 for care for juveniles transferred from a juvenile

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correctional institution, \$132 for corrective sanctions services, and \$48 for departmental aftercare services.

2. For fiscal year 2016-17, the daily rate is \$287 for care in a Type 1 juvenile correctional facility, \$287 for care for juveniles transferred from a juvenile correctional institution, \$127 for corrective sanctions services, and \$49 for departmental aftercare services.

Also under current law, if there is a deficit in the juvenile correctional services appropriation account at the close of a fiscal biennium, the governor must increase each of the daily rates for care in a Type 1 juvenile correctional facility and for care for juveniles transferred from a juvenile correctional institution by \$17, in addition to any increase due to actual costs, in the executive budget bill for each fiscal biennium until the deficit is eliminated. This bill changes the amount by which the governor must increase the daily rates under these circumstances to \$6.

INS A
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*** ANALYSIS FROM -0913/P3 ***

CORRECTIONS

Current law requires a person to complete a preservice training program approved by DOC before being permanently appointed as a correctional officer. This bill creates a Preservice Training Standards Board to certify persons as having met the standards that qualify them to be correctional officers.

*** ANALYSIS FROM -0704/P1 ***

CORRECTIONAL SYSTEM

ADULT CORRECTIONAL SYSTEM

Under current law, DOC may enter into contracts with public, private, or voluntary agencies to provide community reintegration services for persons who are released from a state correctional or penal institution. Current law requires DOC to contract with two vendors, the Madison-area Urban Ministry, Inc., and Project Return to provide those services.

The bill eliminates the requirement that DOC enter into a contract with the Madison-area Urban Ministry, Inc., and Project Return to provide community reintegration services.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

move

to former prisoners NOA

those vendors

(end ins)

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

community reintegration

(END)



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: ???.

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -0704/P1 ***

*** ANALYSIS FROM -0913/P3 ***

CORRECTIONAL SYSTEM

ADULT CORRECTIONAL SYSTEM

Current law requires a person to complete a preservice training program approved by DOC before being permanently appointed as a correctional officer. This bill creates a Preservice Training Standards Board to certify persons as having met the standards that qualify them to be correctional officers.

Current law requires DOC to contract with two vendors, the Madison-area Urban Ministry, Inc., and Project Return to provide community reintegration services to former prisoners. The bill eliminates the requirement that DOC enter into a contract with those vendors.

*** ANALYSIS FROM -0407/P3 ***

JUVENILE CORRECTIONAL SYSTEM

Current law requires DOC to supervise the administration of juvenile delinquency-related services to allocate to counties various state and federal moneys to pay for those services (commonly referred to as "youth aids"). In addition, current law defines "department," for purposes of administration of the Juvenile Justice Code, to mean DOC.

This bill, effective on January 1, 2016, transfers from DOC to DCF the responsibility for allocating youth aids to counties and for supervising the

administration of community-based juvenile delinquency-related services, which the bill defines as juvenile delinquency-related services other than juvenile correctional services provided for juveniles who are being held in a juvenile detention facility or who have been adjudged delinquent and placed in a juvenile correctional facility (JCF), the Serious Juvenile Offender Program, or on aftercare supervision under the supervision of DOC. In addition, the bill redefines “department,” for purposes of administration of the Juvenile Justice Code, to mean DCF, except with respect to juvenile correctional services provided by DOC.

***** ANALYSIS FROM -0209/3 *****

Under current law, when a juvenile who has been adjudicated delinquent is placed under the supervision of DOC, DOC may place the juvenile on aftercare supervision, either immediately or following a period of placement in a JCF. Currently, aftercare supervision is provided either by DOC or by the county in which the juvenile was adjudicated delinquent or the county of the juvenile’s legal residence.

Under current law, DOC also provides a corrective sanctions program, consisting of intensive surveillance and community-based treatment services, for juveniles who have been adjudicated delinquent, placed under the supervision of DOC, and selected by the Office of Juvenile Offender Review (OJOR) in DOC to participate in the program.

This bill, effective on July 1, 2017, or on the second day after publication of the 2017–19 biennial budget act, whichever is later, eliminates aftercare supervision provided by DOC and the corrective sanctions program. Instead, the bill requires DOC to purchase or provide community supervision services for juveniles who have been placed under the supervision of DOC. The bill permits DOC to purchase or provide for a juvenile who has been placed under community supervision: 1) surveillance based on the juvenile’s level of risk and community safety considerations; 2) youth report center programming for times when the juvenile is not under immediate adult supervision; 3) contacts with the juvenile and the juvenile’s family of a type, frequency, and duration that are commensurate with the juvenile’s level of risk and treatment needs; 4) case management services; and 5) any other treatment or services that are needed to meet the needs of the juvenile.

***** ANALYSIS FROM -0217/P1 *****

Under current law relating to youth aids, DOC charges counties for the costs of services provided by DOC according to per person daily cost assessments specified in the statutes (daily rates). Under this bill, the daily rates are as follows:

1. For fiscal year 2015–16, the daily rate is \$279 for care in a Type 1 juvenile correctional facility, \$279 for care for juveniles transferred from a juvenile correctional institution, \$132 for corrective sanctions services, and \$48 for departmental aftercare services.

2. For fiscal year 2016–17, the daily rate is \$287 for care in a Type 1 juvenile correctional facility, \$287 for care for juveniles transferred from a juvenile correctional institution, \$127 for corrective sanctions services, and \$49 for departmental aftercare services.

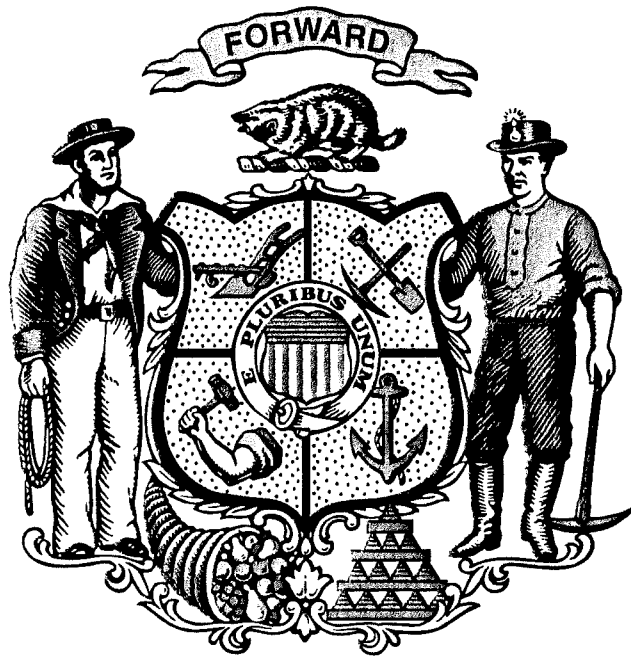
***** ANALYSIS FROM -0216/P2 *****

Current law requires DOC to distribute \$3,750,000 in certain general purpose revenues in each year to counties for early intervention services for first offenders and for intensive community-based intervention services for seriously chronic offenders (community intervention program). This bill instead requires DOC to distribute, in each fiscal year, the amount appropriated for the community intervention program in that fiscal year.

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

1

(END)





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

CMH
PJH
TKK ✓
GF

1 AN ACT ...; relating to: ???.

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -0347/P2 ***

COURTS AND PROCEDURE

DOMESTIC RELATIONS

Under current law, if a person has been ordered to pay child or family support or maintenance, a portion of the person's income may be assigned, or set aside by the person's employer, to satisfy his or her support obligations and to pay back any

support arrearages. Under current law, for the purpose of assigning money for support or arrearage payments, the person's income includes commissions, earnings, salaries, wages, pension benefits, workers' compensation or unemployment payments, certain lottery prizes, and other money due or to be due to the person.

Under this bill, state income continuation insurance benefits and, if the person's occupation is law enforcement or fire fighting, duty disability benefits may be assigned for support or arrearage payments.

stays →

*** ANALYSIS FROM -0302/P1 ***

COURTS AND PROCEDURE

DOMESTIC RELATIONS

Under current law, a person must generally pay a filing fee to commence certain actions affecting the family, including an action to establish the paternity of a child and to determine child support and legal custody and physical placement of the child. However, current law eliminates the fee for certain actions or for certain persons who commence the action.

Under current law, there is no fee for an action to determine paternity brought by the state or its delegate or commenced on behalf of the child by a guardian ad litem, and no fee to determine child support and legal custody and physical placement of the child in the paternity action.

This bill eliminates the filing fee for an action brought by the state or its delegate or commenced on behalf of the child by a guardian ad litem to determine child support and legal custody and physical placement of a child for whom paternity has been established by his or her parents' voluntary acknowledgement of paternity.

Office of the State Public Defender (SPD) ***** ANALYSIS FROM -1190/P1 ***** ← *move too*

Under current law, the Office of the State Public Defender (SPD) is responsible for providing legal representation to various indigent persons. If a person qualifies for legal representation by the SPD, the SPD either assigns an attorney employed by the office to represent the person or contracts with a private attorney to represent the person. If two potential SPD clients have conflicting or potentially conflicting interests, the SPD cannot represent both clients and, instead, must contract with private attorneys to represent at least one of the potential clients.

The bill creates, within the SPD, a two-year pilot program to administer a conflicts office in Milwaukee county. SPD attorneys in the conflicts office will represent clients in Milwaukee, Waukesha, and Racine counties that would otherwise be represented by private attorneys due to a conflicting or potentially conflicting interest with the SPD. *that who*

***** ANALYSIS FROM -1082/P3 *****

COURTS AND PROCEDURE

PUBLIC DEFENDER

Current law requires the state public defender to enter into as many annual contracts as possible with private attorneys or firms to provide legal representation. This bill requires each such contract to contain a provision stating that late payments do not accrue interest. *SPD that late payments under*

CRIMES

Under current law, a judge may appoint a special prosecutor, or a district attorney may request a judge to appoint a special prosecutor, to perform the duties of the district attorney if certain circumstances exist such as: there is no district attorney, the district attorney is absent, or the district attorney is serving in the armed forces; the district attorney is related to the party to be tried or has determined that a conflict of interest exists; or the district attorney is physically unable to attend to his or her duties. This bill specifies that inability to attend to duties must be due to a health issue, and this bill requires the judge, or the requesting district attorney, to submit to DOJ an affidavit attesting to the existence of the circumstance that qualifies for the appointment of a special prosecutor. Under current law, the court fixes the amount of compensation for a special prosecutor based on the rates provided to private attorneys providing legal representation through a contract with the state public defender and DOA must pay that compensation. Under this bill, DOJ must approve the appointment of a special prosecutor before the court may fix the amount of compensation. In addition, this bill provides that late payment of compensation does not accrue the 12 percent interest that certain other late payments do. *that certain other late payments do*

DISTRICT ATTORNEYS

Subhead

Provides

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stays →

***** ANALYSIS FROM -0373/P1 *****

COURTS AND PROCEDURE

DISTRICT ATTORNEYS

Under current law, the district attorney for a county that has a population of 500,000 or more may appoint five deputy district attorneys, and as many assistant district attorneys as requested by DOA.

This bill increases, from five to seven, the number of deputy district attorneys that the district attorney for a county that has a population of 500,000 or more may appoint.

***** ANALYSIS FROM -1117/P3 *****

COURTS AND PROCEDURE

CIRCUIT COURTS

This bill consolidates several general purpose revenue appropriations, related to circuit court costs, to the director of state courts into one biennial appropriation and requires the director to define circuit court costs.

OTHER COURTS AND PROCEDURE

This bill consolidates general purpose revenue appropriations for the director of state courts and the state law library.

Currently, with limited exceptions, a person paying certain court fees, such as a fee to commence a civil action or a small claims action, must also pay a \$21.50 justice information system surcharge. This bill eliminates the exceptions to the payment of the surcharge.

Under current law, with certain exceptions, a defendant in a forfeiture action in circuit court must pay a fee of \$25 when judgment is entered against the defendant. This bill eliminates the exceptions to the payment of the fee.

Under current law, if a person is required to appear in a circuit court or in a municipal court to answer a charge of operating an all-terrain vehicle, a snowmobile, a motor vehicle, or a boat under the influence of an intoxicant or with a prohibited blood alcohol concentration, the court, upon finding that the person committed the violation, imposes and collects from the person any costs charged to, paid by, or expected to be charged to, a law enforcement agency to withdraw the person's blood.

Under the bill, a court ^{circuit} also imposes ^{and} on and collects ^{from} from a person who operates an aircraft under the influence of an intoxicant ^{or} or with a prohibited blood alcohol concentration, the costs charged to, paid by, or expected to be charged to, a law enforcement agency to collect the person's blood.

Under current law, the Judicial Commission, composed of five nonlawyers appointed by the governor with the consent of the senate and two judges and two state bar members appointed by the supreme court, investigates any misconduct or permanent disability of a judge or court commissioner. The supreme court reviews the actions of the Judicial Commission and determines the appropriate discipline or action to take in response to the judicial commission's investigation. The bill moves the appropriations for administering the Judicial Commission to the supreme court.

Under current law, the Judicial Council consists of 21 designated or appointed members, including a supreme court justice, one court of appeals judge, four circuit

This bill eliminates exceptions to the payment of a justice information system surcharge by persons paying certain court fees, and eliminates exceptions to the payment of fees by a defendant in a forfeiture action.

court judges, the chairpersons of the senate and assembly committees dealing with judicial affairs or their designees, and the attorney general or his or her designee. Current law empowers the council to investigate and report on matters including the following: 1) to advise the supreme court of changes to the rules of pleading, practice, and procedure that would simplify procedure and promote a speedy determination of litigation on its merits; 2) to study the organization, jurisdiction, and methods of administration and operation of all the courts in the state; and 3) to recommend to the legislature changes to the business of the courts that can be accomplished only through legislation. This bill eliminates the Judicial Council and its appropriations.

stays →

***** ANALYSIS FROM -0422/P2 *****

COURTS AND PROCEDURE

OTHER COURTS AND PROCEDURE

Currently, the salaries of justices of the supreme court, court of appeals judges, and circuit court judges are based on recommendations of the director of the Office of State Employment Relations and submitted for approval to the Joint Committee on Employment Relations (JCOER).

This bill creates a Judicial Compensation Commission (commission), consisting of members appointed by the supreme court, to review judicial salaries. Under the bill, no later than December 1 of each even-numbered year, the commission is to submit a written report to the governor and JCOER that includes recommendations on the salaries of the justices of the supreme court, court of appeals judges, and judges of circuit court.

Under the bill, JCOER is to review the salary recommendations submitted by the commission; if JCOER approves the recommendations, the salary adjustments take effect at the time that any justice or judge takes the oath of office.

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***** ANALYSIS FROM -0846/1 *****

COURTS AND PROCEDURE

OTHER COURTS AND PROCEDURE

Current law requires the Division of Hearings and Appeals (DHA) to appoint hearing examiners to make findings and orders in crime victim compensation contested cases. In addition, current law requires DHA to appoint hearing examiners to make findings and orders in contested cases in which a health care provider that conducted an examination to gather evidence regarding a sex offense is seeking compensation. For both of these types of contested cases, initial decisions are issued by DOJ.

This bill repeals the requirement that DHA conduct these hearings. However, DOJ will retain the option to contract with DHA to provide hearing services for those cases, as is permitted under current law upon the request of any agency that is not prohibited from contracting with a third party for contested case hearing services.

and in certain contested cases involving health care providers

but allows

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

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(END)



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: ???.

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -0347/P2 ***

COURTS AND PROCEDURE

DOMESTIC RELATIONS

Under current law, if a person has been ordered to pay child or family support or maintenance, a portion of the person's income may be assigned, or set aside by the person's employer, to satisfy his or her support obligations. Under this bill, state income continuation insurance benefits and, if the person's occupation is law enforcement or fire fighting, duty disability benefits may be assigned.

*** ANALYSIS FROM -0302/P1 ***

This bill eliminates the usual filing fee for an action brought by the state or its delegate or commenced on behalf of the child by a guardian ad litem to determine child support and legal custody and physical placement of a child for whom paternity has been established by his or her parents' voluntary acknowledgement of paternity.

PUBLIC DEFENDER

*** ANALYSIS FROM -1190/P1 ***

Under current law, if a person qualifies for legal representation by the Office of the State Public Defender (SPD), the SPD either assigns an attorney employed by the office to represent the person or contracts with a private attorney to represent the person. If two potential SPD clients have conflicting interests, the SPD must contract with private attorneys to represent at least one of the potential clients.

The bill creates, within the SPD, a two-year pilot program to administer a conflicts office in Milwaukee County that will represent clients in Milwaukee,

Waukesha, and Racine counties who would otherwise be represented by private attorneys due to a conflicting interest with the SPD.

***** ANALYSIS FROM -1082/P3 *****

Current law requires the SPD to enter into as many annual contracts as possible with private attorneys or firms to provide legal representation. This bill provides that late payments under such contracts do not accrue the 12 percent interest that certain other late payments do.

DISTRICT ATTORNEYS

Under current law, a judge may appoint a special prosecutor, or a district attorney may request a judge to appoint a special prosecutor, to perform the duties of the district attorney if certain circumstances exist such as: there is no district attorney, the district attorney is absent, or the district attorney is serving in the armed forces; the district attorney is related to the party to be tried or has determined that a conflict of interest exists; or the district attorney is physically unable to attend to his or her duties. This bill specifies that inability to attend to duties must be due to a health issue, and this bill requires the judge, or the requesting district attorney, to submit to DOJ an affidavit attesting to the existence of the circumstance that qualifies for the appointment of a special prosecutor. Under current law, the court fixes the amount of compensation for a special prosecutor based on the rates provided to private attorneys providing legal representation through a contract with the state public defender and DOA must pay that compensation. Under this bill, DOJ must approve the appointment of a special prosecutor before the court may fix the amount of compensation. In addition, this bill provides that late payment of compensation does not accrue the 12 percent interest that certain other late payments do.

***** ANALYSIS FROM -0373/P1 *****

This bill increases, from five to seven, the number of deputy district attorneys that the district attorney for a county that has a population of 500,000 or more may appoint.

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state bar members appointed by the supreme court, investigates any misconduct or permanent disability of a judge or court commissioner. The supreme court reviews the actions of the Judicial Commission and determines the appropriate discipline or action to take in response to the judicial commission's investigation. The bill moves the appropriations for administering the Judicial Commission to the supreme court.

Under current law, the Judicial Council consists of 21 designated or appointed members, including a supreme court justice, one court of appeals judge, four circuit court judges, the chairpersons of the senate and assembly committees dealing with judicial affairs or their designees, and the attorney general or his or her designee. Current law empowers the council to advise the supreme court of changes to the rules of pleading, practice, and procedure that would simplify procedure and promote a speedy determination of litigation on its merits and to recommend to the legislature changes to the business of the courts that can be accomplished only through legislation. This bill eliminates the Judicial Council and its appropriations.

***** ANALYSIS FROM -0422/P2 *****

Currently, the salaries of justices of the supreme court, court of appeals judges, and circuit court judges are based on recommendations of the director of the Office of State Employment Relations and submitted for approval to the Joint Committee on Employment Relations (JCOER).

This bill creates a Judicial Compensation Commission (commission), consisting of members appointed by the supreme court, to review judicial salaries and submit a written report and make recommendations on the judicial salaries.

***** ANALYSIS FROM -0846/1 *****

Current law requires the Division of Hearings and Appeals (DHA) to appoint hearing examiners to make findings and orders in crime victim compensation contested cases and in certain contested cases involving health care providers. For both of these types of contested cases, initial decisions are issued by DOJ.

This bill repeals the requirement that DHA conduct these hearings, but DOJ allows the option to contract with DHA to provide hearing services.

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