## 2015 DRAFTING REQUEST

Assem	bly Amendm	ent (AA-AB(L	RBx2708/1)	)		
Receive	ed: <b>10/5/2015</b>	5		Received By:	eshea	
For:	Adam No	eylon (608) 266-5	5120	Same as LRB:		
May Contact:				By/Representing:	Joe	
Subject	: Children	Children - juvenile justice		Drafter:	eshea	
				Addl. Drafters:		
				Extra Copies:		
Reques	via email: ter's email: copy (CC) to:	elisabeth.sl	n@legis.wiscon nea@legis.wisc laise@legis.wis	onsin.gov		
Pre To	pic:					
No spec	cific pre topic giv	en .			ř	
Topic:						
Promul	gation of intensiv	ve supervision pro	ogram rules			
Instruc	ctions:					<u> </u>
See atta	ached					
Draftir	ng History:					<del></del>
Vers.	<u>Drafted</u>	Reviewed	Proofed	Submitted	<u>Jacketed</u>	Required
/?	eshea 10/7/2015	jdyer 10/9/2015	NAME OF THE OWNER			
/1				sbasford 10/9/2015	sbasford 10/9/2015	
FE Sen	t For:					

### Shea, Elisabeth

From:

Buschman, Sara - DCF <Sara.Buschman@wisconsin.gov>

Sent:

Wednesday, October 07, 2015 10:16 AM

To:

Shea, Elisabeth; Zapf, Joe

Cc: Subject: Gralinski, Matthew; Keys, Randall - DCF RE: Amendment requested to 2708

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Lis, in talking to our legal counsel the answer to your question is no. DOC will remain responsible for promulgating standards for portions of county jails used to house juveniles. Consequently, no changes are needed in s. 938.534(1)(b)1. or 2.

Sara

#### Sara Buschman

Assistant Deputy Secretary
Department of Children and Families

201 East Washington Avenue Madison, WI 53703

T: 608.422-7068 - please note new number

E: sara.buschman@wisconsin.gov

**From:** Shea, Elisabeth [mailto:Elisabeth.Shea@legis.wisconsin.gov]

**Sent:** Monday, October 05, 2015 3:36 PM

To: Zapf, Joe - LEGIS

Cc: Gralinski, Matthew - LEGIS; Buschman, Sara - DCF; Keys, Randall - DCF

**Subject:** RE: Amendment requested to 2708

Question on this amendment. Should the references to "standards promulgated by the department of corrections by rule" in s. 938.534 (1) (b) 1. and 2. also be changed to "department"?

Lis

#### Elisabeth H. Shea

Legislative Attorney Wisconsin Legislative Reference Bureau P.O. Box 2037 Madison, WI 53701-2037 (608) 266 - 5446 elisabeth.shea@legis.wisconsin.gov

The information contained in this communication may be confidential and protected by the attorney-client privilege.

From: Zapf, Joe

Sent: Monday, October 05, 2015 12:59 PM

To: Shea, Elisabeth < Elisabeth. Shea@legis.wisconsin.gov >

 $\label{lem:cc:consingov} \textbf{Cc:} Gralinski, Matthew < \underline{Matthew.Gralinski@legis.wisconsin.gov} > ; Buschman, Sara - DCF < \underline{Sara.Buschman@wisconsin.gov} > ; Keys, Randall - DCF < \underline{Randall.Keys@wisconsin.gov} > ; Weys, Randall - DCF < \underline{Randall.Keys@wis$ 

Subject: Amendment requested to 2708

Elisabeth,

Here is the change we just spoke about, looks like an amendment would be best. Please reply-all with questions.

DCF recently realized that in the recent budget there is a very small technical oversight in the language that transfers the Youth Aids and juvenile justice functions from DOC to DCF. I was thinking rather than an entire bill for this one fix which literally is only eliminating 2 words, or waiting until the next budget, the easiest option would be to add a simple amendment to the DCF modernization bill your office is authoring for us.

Here is the language:

Amend 938.534(2) to change responsible department from DOC to DCF. Both agencies agree that this change is appropriate to reflect the intent of the parties. Because DCF is the "department" as defined in ch. 938, it is not necessary to say "department of children and families" in the statutory provision.

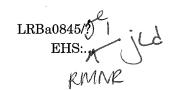
(2) RULES FOR INTENSIVE SUPERVISION PROGRAM. The department of corrections shall promulgate rules specifying the requirements for an intensive supervision program under this section. The rules shall include provisions governing the use of placement in a juvenile detention facility, juvenile portion of a county jail, or place of nonsecure custody for not more than 72 hours under sub. (1)(b) and the use of placement in a place of nonsecure custody for not more than 30 days under sub. (1)(c).

Best,

Joe Zapf Office of Rep. Adam Neylon (608) 266-5120



# State of Misconsin 2015 - 2016 LEGISLATURE



# PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION ASSEMBLY AMENDMENT,

## TO ASSEMBLY BILL (LRB-2708/1)

m 10/7
Due 10/9

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At the locations indicated, amend the bill as follows:

1. Page 90, line insert:

"Section 215m. 938.534 (2) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

938.534 (2) Rules for intensive supervision program. The department of eorrections shall promulgate rules specifying the requirements for an intensive supervision program under this section. The rules shall include provisions governing the use of placement in a juvenile detention facility, juvenile portion of a county jail, or place of nonsecure custody for not more than 72 hours under sub. (1) (b) and the use of placement in a place of nonsecure custody for not more than 30 days under sub. (1) (c)."

NOTE: NOTE: Sub. (2) is shown as amended off: 1-1-16 by 2015 Wis. Act 55. Prior to 1-1-16 it reads NOTE:

(2) RULES FOR INTENSIVE SUPERVISION PROGRAM. The department shall/promulgate rules specifying the requirements for an intensive supervision program under this section. The rules shall include provisions governing ble use of placement in a juvenile detention facility, juvenile portion of a county jail, or place of nonsecure custody for not more than 72 hours under sub. (1) (b) and the use of placement in a place of nonsecure custody for not more than 30 days under sub. (1) (c).

History: 1995 a. 77: 1997 b. 205: 2001 d. 16: 2005 a. 344: 2007 a. 97: 2015 a. 55.

1 **2.** Page 91, line 6: after that line insert:

2 "(3) The treatment of section 938.534 (2) of the statutes takes effect on January

 $\begin{pmatrix} 3 \end{pmatrix}$  1, 2016."

(END)