

January 2017 Special Session Assembly Bill 2 (LRB -1498)

An Act to repeal 20.455 (2) (en); and to create 20.455 (2) (en) of the statutes; relating to: treatment and diversion programs and making appropriations. (FE)

2017

02-17.	A.	Introduced by Committee on Assembly Organization , Representatives Nygren, Billings, Felzkowski, Skowronski, Novak, Quinn, Ripp, Swearingen, Petryk, Mursau, Tittl, Rodriguez, Born, R. Brooks, VanderMeer, Loudenbeck, Murphy, Spiros, Kulp, Fields, Schraa, Kleefisch, Horlacher, Rohrkaste, E. Brooks, Bernier, Tusler, Edming, Kolste, Subeck, Brostoff, Vruwink, Wachs, Sargent, Ohnstad, C. Taylor, Zepnick, Sinicki, Doyle, Krug, Petersen, Jagler, Ballweg, Tranel, Spreitzer, Zamarripa and Jacque ; cosponsored by Senators Fitzgerald, Darling, Vukmir, Harsdorf, Feyen, Olsen, Wanggaard, Testin, Marklein, Cowles, Vinehout, Carpenter, Wirch and Hansen, by request of Governor Scott Walker.	57
02-17.	A.	Read first time and referred to Committee on Criminal Justice and Public Safety	57
03-02.	A.	Fiscal estimate received	
03-02.	A.	Public hearing held	
03-02.	A.	Senator Johnson added as a cosponsor	76
03-07.	A.	Assembly Amendment 1 offered by Representative Goyke (LRB a0110)	89
03-09.	A.	Executive action taken	
03-16.	A.	Report passage recommended by Committee on Criminal Justice and Public Safety, Ayes 12, Noes 0	108
03-16.	A.	Referred to joint committee on Finance	108
03-27.	A.	Executive action taken	
03-30.	A.	Assembly Amendment 2 offered by Joint Committee on Finance (LRB a0207)	127
03-30.	A.	Report passage, with emergency statement attached, pursuant to s.16.47 (2), Wisconsin Statutes, recommended by Joint Committee on Finance, Ayes 16, Noes 0	127
03-30.	A.	Referred to calendar of 4-4-2017 pursuant to Assembly Rule 93	127
04-04.	A.	Read a second time	139
04-04.	A.	Assembly Amendment 3 offered by Representatives Goyke and Zepnick (LRB a0253)	139
04-04.	A.	Assembly Amendment 3 laid on table, Ayes 63, Noes 34	139
04-04.	A.	Assembly Amendment 4 offered by Representatives Shankland, Barca, Hesselbein, Doyle and Spreitzer (LRB a0290)	139
04-04.	A.	Assembly Amendment 4 laid on table, Ayes 63, Noes 34	139
04-04.	A.	Assembly Amendment 5 offered by Representatives C. Taylor and Goyke (LRB a0292)	139
04-04.	A.	Point of order that Assembly Amendment 5 not germane under Assembly Rule 54 (3)(f) well taken	139
04-04.	A.	Decision of the Chair appealed	139
04-04.	A.	Decision of the Chair upheld, Ayes 64, Noes 33	139
04-04.	A.	Ordered to a third reading	140
04-04.	A.	Rules suspended	140
04-04.	A.	Read a third time and passed , Ayes 97, Noes 0	140
04-04.	A.	Representative Barca added as a coauthor	140
04-04.	A.	Ordered immediately messaged	140
04-05.	S.	Received from Assembly	182
04-06.	S.	Read first time and referred to committee on Senate Organization	186
04-06.	S.	Available for scheduling	
04-28.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 5, Noes 0	221
04-28.	S.	Placed on calendar 5-2-2017 pursuant to Senate Rule 18(1)	221
05-02.	S.	Senate Amendment 1 offered by Senators Erpenbach, L. Taylor, Carpenter, Vinehout, Johnson, Hansen, Wirch, Bewley, Shilling, Miller, Ringhand and Risser (LRB a0484)	
05-02.	S.	Read a second time	
05-02.	S.	Senate Amendment 1 rejected, Ayes 19, Noes 13	
05-02.	S.	Ordered to a third reading	
05-02.	S.	Rules suspended	
05-02.	S.	Read a third time and concurred in , Ayes 32, Noes 0	
05-02.	S.	Ordered immediately messaged	
05-02.	A.	Received from Senate concurred in	

9MB



January 2017 Special Session
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2017 ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

17 -1498 / 2

Amendments: None or Listed below.

Corrections: None or Listed by date below.

Topic: Same as relating clause or other, indicated below.

3/8/2017

Cooper

Date

Enrolling Drafter



State of Wisconsin
2017 - 2018 LEGISLATURE
January 2017 Special Session

LRB-1498/2
CMH:wj

ASSEMBLY BILL 2

February 17, 2017 - Introduced by COMMITTEE ON ASSEMBLY ORGANIZATION, Representatives NYGREN, BILLINGS, FELZKOWSKI, SKOWRONSKI, NOVAK, QUINN, RIPP, SWEARINGEN, PETRYK, MURSAU, TITTL, RODRIGUEZ, BORN, R. BROOKS, VANDERMEER, LOUDENBECK, MURPHY, SPIROS, KULP, FIELDS, SCHRAA, KLEEFISCH, HORLACHER, ROHRKASTE, E. BROOKS, BERNIER, TUSLER, EDMING, KOLSTE, SUBECK, BROSTOFF, VRUWINK, WACHS, SARGENT, OHNSTAD, C. TAYLOR, ZEPNICK, SINICKI, DOYLE, KRUG, PETERSEN, JAGLER, BALLWEG, TRANEL, SPREITZER, ZAMARRIPA and JACQUE, cosponsored by Senators S. FITZGERALD, DARLING, VUKMIR, HARS DORF, FEYEN, OLSEN, WANGGAARD, TESTIN, MARKLEIN, COWLES, VINEHOUT, CARPENTER, WIRCH and HANSEN, by request of Governor Scott Walker. Referred to Committee on Criminal Justice and Public Safety.

1 AN ACT *to repeal* 20.455 (2) (en); and *to create* 20.455 (2) (en) of the statutes;
2 relating to: treatment and diversion programs and making appropriations.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Justice awards grants to counties to provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. This bill provides moneys from general purpose revenue in each fiscal year in amounts specified in the bill to increase the amount spent for grants to counties operating treatment and diversion programs, to expand the grant program to more counties, and, subject to approval of the Joint Committee on Finance, to create a pilot program to divert certain persons to treatment options instead of the criminal justice system.

For further information see the *state* 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:

3 SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
4 the following amounts for the purposes indicated:

2015-16 2016-17

1 **20.455 Justice, department of**

2 (2) LAW ENFORCEMENT SERVICES

3 (en) Diversion pilot program GPR A -0- -0-

4 **SECTION 2.** 20.455 (2) (en) of the statutes is created to read:

5 20.455 (2) (en) *Diversion pilot program.* The amounts in the schedule to create
6 a diversion pilot program for nonviolent offenders to be diverted to a treatment
7 option.

8 **SECTION 3.** 20.455 (2) (en) of the statutes, as created by 2017 Wisconsin Act
9 (this act), is repealed.

10 **SECTION 4. Nonstatutory provisions.**

11 (1) DIVERSION PILOT PROGRAM. The department of justice shall submit to the joint
12 committee on finance a request to supplement the appropriation under section
13 20.455 (2) (en) of the statutes with the funds that are held in the appropriation
14 account under section 20.865 (4) (a) of the statutes for the purpose described in
15 SECTION 5 (3) of this act along with a proposed plan for the expenditure of the moneys.
16 If the cochairpersons of the committee do not notify the department of justice within
17 14 working days after the date of the department's submittal that the committee has
18 scheduled a meeting for the purpose of reviewing the proposed plan, the joint
19 committee on finance shall release the funds and the department of justice may
20 expend the moneys to implement the proposed plan. If, within 14 working days after
21 the date of the department's submittal, the cochairpersons of the committee notify
22 the department of justice that the committee has scheduled a meeting for the purpose
23 of reviewing the proposed plan, the department of justice may expend the moneys

1 only if the joint committee on finance releases the funds and only to implement the
2 plan as approved by the committee.

3 **SECTION 5. Fiscal changes.**

4 (1) TREATMENT AND DIVERSION PROGRAM GRANTS. In the schedule under section
5 20.005 (3) of the statutes for the appropriation to the department of justice under
6 section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year 2017-18 is
7 increased by \$2,000,000 for the purpose for which the appropriation is made. In the
8 schedule under section 20.005 (3) of the statutes for the appropriation to the
9 department of justice under section 20.455 (2) (em) of the statutes, the dollar amount
10 for fiscal year 2018-19 is increased by \$2,000,000 for the purpose for which the
11 appropriation is made.

12 (2) TREATMENT AND DIVERSION PROGRAMS EXPANSION. In the schedule under
13 section 20.005 (3) of the statutes for the appropriation to the department of justice
14 under section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year
15 2017-18 is increased by \$150,000 for the expansion of the grant program under
16 section 165.95 (2) of the statutes to additional counties. In the schedule under section
17 20.005 (3) of the statutes for the appropriation to the department of justice under
18 section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year 2018-19 is
19 increased by \$150,000 for the expansion of the grant program under section 165.95
20 (2) of the statutes to additional counties.

21 (3) DIVERSION PILOT PROGRAM. In the schedule under section 20.005 (3) of the
22 statutes for the appropriation to the joint committee on finance under section 20.865
23 (4) (a) of the statutes, the dollar amount for fiscal year 2017-18 is increased by
24 \$261,000 for the purpose of funding a diversion pilot program for nonviolent
25 offenders to be diverted to a treatment option. In the schedule under section 20.005

1 (3) of the statutes for the appropriation to the joint committee on finance under
2 section 20.865 (4) (a) of the statutes, the dollar amount for fiscal year 2018-19 is
3 increased by \$261,000 for the purpose of funding a diversion pilot program for
4 nonviolent offenders to be diverted to a treatment option.

5 **SECTION 6. Effective dates.** This act takes effect on the day after publication,
6 except as follows:

7 (1) The repeal of section 20.455 (2) (en) the statutes takes effect on July 1, 2019.

8 (END)