

**2019 DRAFTING REQUEST**

**Bill**

For: **Administration-Budget 267-0370**      Drafter: **ewheeler**  
 By: **Schmidt**      Secondary Drafters:  
 Date: **2/6/2019**      May Contact:

Same as LRB:

Submit via email: **YES**  
 Requester's email:  
 Carbon copy (CC) to: **doasbostatlanguage@wisconsin.gov**  
**Elizabeth.Wheeler@legis.wisconsin.gov**  
**elisabeth.shea@legis.wisconsin.gov**

**Pre Topic:**

DOA:.....Schmidt, BB0298 -

**Topic:**

DOC juvenile daily rate and MJTC transfer

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	ewheeler 2/11/2019	anienaja 2/11/2019			
/P1	ewheeler 2/17/2019	anienaja 2/18/2019	lparisi 2/11/2019		State
/P2			dwalker 2/18/2019		State

FE Sent For: **<END>**

-1844

**Wheeler, Elizabeth**

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**From:** Hanaman, Cathlene  
**Sent:** Wednesday, February 06, 2019 2:44 PM  
**To:** Shea, Elisabeth; Wheeler, Elizabeth  
**Subject:** FW: Statutory Language Drafting Request - 2019-21

**From:** Schmidt, Michael - DOA <Michael2.Schmidt@wisconsin.gov>  
**Sent:** Wednesday, February 06, 2019 2:28 PM  
**To:** Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>  
**Cc:** Potts, Andrew - DOA <Andrew.Potts@wisconsin.gov>; Schmidt, Michael - DOA <Michael2.Schmidt@wisconsin.gov>  
**Subject:** Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: DOC Juvenile Daily Rate and MJTC Transfer

Tracking Code: BB0298

SBO Team: AEJ

SBO Analyst: Schmidt, Michael  
Phone: 608-267-0370  
E-mail: [michael2.schmidt@wisconsin.gov](mailto:michael2.schmidt@wisconsin.gov)

Agency Acronym: 455

Agency Number: 455

Priority: Medium

Intent:

Modify the statutory daily rate that DOC charges counties for county juvenile correctional placement in s. 301.26(4)(d)2. & 3. to: \$501/day between 7/1/19 and 6/30/20; \$513 between 7/1/20 and 12/31/20; and \$592/day between 1/1/21 and 6/30/21. Modify s. 46.057(2), where DOC shall transfer from appropriation account 20.410(3)(hm) to 20.435(2)(kx), to \$3,257,700 in fiscal year 2019-20 and \$5,810,400 in fiscal year 2020-21.

Attachments: False

Please send completed drafts to [SBOStatlanguage@spmail.enterprise.wistate.us](mailto:SBOStatlanguage@spmail.enterprise.wistate.us)



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-1844/? *PI*  
EAW:... *ann*

*in: 2/11*

DOA:.....Schmidt, BB0298 - DOC juvenile daily rate and MJTC transfer  
**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

*SA  
Xref  
Pwf*

*No gen.*

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

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***Analysis by the Legislative Reference Bureau***  
**CORRECTIONAL SYSTEM**  
**JUVENILE CORRECTIONAL SYSTEM**

This bill updates the daily rate paid by counties to DOC for services provided to juveniles in a Type 1 juvenile correctional facility, and increases the amount transferred from DOC to DHS for the operation of the Mendota Juvenile Treatment Center (MJTC). Under the bill, the daily rate for care in a Type 1 juvenile correctional facility is \$501 for fiscal year 2019-20, \$513 for the first half of fiscal year 2020-21, and \$592 for the second half of fiscal year 2020-21. Under the bill, DOC is required to transfer \$3,257,700 to DHS for the operation of MJTC in fiscal year 2019-20, and \$5,810,400 in fiscal year 2020-21.

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

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

2           **SECTION 1.** 301.26 (4) (d) 2. of the statutes is amended to read:  
3           ~~301.26~~ (4) (d) 2. Beginning on July 1, 2017 2019, and ending on June 30, 2018  
4           2020, the per person daily cost assessment to counties shall be \$390 \$501 for care in

1 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), and ~~\$390~~ \$501 for  
2 care for juveniles transferred from a juvenile correctional institution under s. 51.35  
3 (3).

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334; 2015 a. 55; 2017 a. 59.

4 **SECTION 2.** 301.26 (4) (d) 3. of the statutes is amended to read:

5 ~~301.26 (4) (d) 3.~~ Beginning on July 1, ~~2018~~ 2020, and ending on June 30, ~~2019~~  
6 December 31, 2020, the per person daily cost assessment to counties shall be \$513  
7 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), and \$513  
8 for care for juveniles transferred from a juvenile correctional institution under s.  
9 51.35 (3). Beginning on January 1, 2021, the per person daily cost assessment to  
10 counties shall be ~~\$397~~ \$592 for care in a Type 1 juvenile correctional facility, as  
11 defined in s. 938.02 (19), and ~~\$397~~ \$592 for care for juveniles transferred from a  
12 juvenile correctional institution under s. 51.35 (3).

History: 1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9, 32; 2001 a. 16, 59, 109; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 3112 to 3124; 9121 (6) (a); 2007 a. 97; 2009 a. 28; 2011 a. 32; 2013 a. 20, 334; 2015 a. 55; 2017 a. 59.

13 **SECTION 3.** 46.057 (2) of the statutes is amended to read:

14 ~~46.057 (2)~~ From the appropriation account under s. 20.410 (3) (ba), the  
15 department of corrections shall transfer to the appropriation account under s. 20.435  
16 (2) (kx) \$1,365,500 in each fiscal year and, from the appropriation account under s.  
17 20.410 (3) (hm), the department of corrections shall transfer to the appropriation  
18 account under s. 20.435 (2) (kx) ~~\$2,869,200~~ \$3,257,700 in fiscal year 2017-18  
19 2019-20 and ~~\$2,932,600~~ \$5,810,400 in fiscal year ~~2018-19~~ 2020-21, for services for  
20 juveniles placed at the Mendota juvenile treatment center. The department of health

1 services may charge the department of corrections not more than the actual cost of  
2 providing those services.

**History:** 1995 a. 216; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 344; 2007 a. 20 ss. 832, 9121 (6) (a); 2009 a. 28; 2011 a. 32; 2013 a. 20; 2015 a. 55; 2017 a. 59, 185.

3

**(END)**

## Wheeler, Elizabeth

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**From:** Schmidt, Michael - DOA  
**Sent:** Friday, February 15, 2019 7:52 PM  
**To:** Wheeler, Elizabeth  
**Subject:** Draft 1844

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Hi Elizabeth,

As I mentioned earlier today, could you please update draft 1844 as follows (modification noted below):

- Statutory daily in s. 301.26(4)(d)2. & 3. to: \$501/day between 7/1/19 and 6/30/20; \$513/day between 7/1/20 and 12/31/20; and \$588/day between 1/1/21 and 6/30/21.
- Modify s. 46.057(2), where DOC shall transfer from appropriation account 20.410(3)(hm) to 20.435(2)(kx), to \$3,224,100 in fiscal year 2019-20 and \$5,878,100 in fiscal year 2020-21.

Thank you,  
Mike



Michael R. Schmidt | Executive Policy and Budget Analyst  
Department of Administration  
Division of Executive Budget and Finance  
[Michael2.Schmidt@wisconsin.gov](mailto:Michael2.Schmidt@wisconsin.gov)  
Direct: (608) 267-0370



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-1844/P1  
EAW:amn

11/2/17

DOA:.....Schmidt, BB0298 - DOC juvenile daily rate and MJTC transfer

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

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

Sub-sub-  
costs for the placement  
of juveniles in a Type 1  
juvenile correctional facility

*Analysis by the Legislative Reference Bureau*  
**CORRECTIONAL SYSTEM**

**JUVENILE CORRECTIONAL SYSTEM**

This bill updates the daily rate paid by counties to DOC for services provided to juveniles in a Type 1 juvenile correctional facility, and increases the amount transferred from DOC to DHS for the operation of the Mendota Juvenile Treatment Center (MJTC). Under the bill, the daily rate for care in a Type 1 juvenile correctional facility is \$501 for fiscal year 2019-20, \$513 for the first half of fiscal year 2020-21, and \$592 for the second half of fiscal year 2020-21. Under the bill, DOC is required to transfer \$3,257,700 to DHS for the operation of MJTC in fiscal year 2019-20, and \$5,810,400 in fiscal year 2020-21.

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

5880

3,257,700

5,810,400

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

2 SECTION 1. 46.057 (2) of the statutes is amended to read:

3 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the  
4 department of corrections shall transfer to the appropriation account under s. 20.435

1 (2) (kx) \$1,365,500 in each fiscal year and, from the appropriation account under s.  
2 20.410 (3) (hm), the department of corrections shall transfer to the appropriation  
3 account under s. 20.435 (2) (kx) \$2,869,200 ~~\$3,257,700~~ <sup>\$3,224,100</sup> in fiscal year 2017-18  
4 ~~2019-20~~ and \$2,932,600 ~~\$5,810,400~~ <sup>\$5,878,100</sup> in fiscal year ~~2018-19~~ 2020-21, for services for  
5 juveniles placed at the Mendota juvenile treatment center. The department of health  
6 services may charge the department of corrections not more than the actual cost of  
7 providing those services.

8 **SECTION 2.** 301.26 (4) (d) 2. of the statutes is amended to read:

9 301.26 (4) (d) 2. Beginning on July 1, ~~2017~~ 2019, and ending on June 30, ~~2018~~  
10 2020, the per person daily cost assessment to counties shall be ~~\$390~~ \$501 for care in  
11 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), and ~~\$390~~ \$501 for  
12 care for juveniles transferred from a juvenile correctional institution under s. 51.35  
13 (3).

14 **SECTION 3.** 301.26 (4) (d) 3. of the statutes is amended to read:

15 301.26 (4) (d) 3. Beginning on July 1, ~~2018~~ 2020, and ending on June 30, ~~2019~~  
16 December 31, 2020, the per person daily cost assessment to counties shall be \$513  
17 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), and \$513  
18 for care for juveniles transferred from a juvenile correctional institution under s.  
19 51.35 (3). Beginning on January 1, 2021, the per person daily cost assessment to  
20 counties shall be ~~\$397~~ \$592 <sup>\$588</sup> for care in a Type 1 juvenile correctional facility, as  
21 defined in s. 938.02 (19), and ~~\$397~~ \$592 <sup>\$588</sup> for care for juveniles transferred from a  
22 juvenile correctional institution under s. 51.35 (3).

23 (END)





State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-1844/P2  
EAW:amn

DOA:.....Schmidt, BB0298 - DOC juvenile daily rate and MJTC transfer

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

**CORRECTIONAL SYSTEM**

**JUVENILE CORRECTIONAL SYSTEM**

**1. *Costs for the placement of juveniles in a Type 1 juvenile correctional facility***

This bill updates the daily rate paid by counties to DOC for services provided to juveniles in a Type 1 juvenile correctional facility, and increases the amount transferred from DOC to DHS for the operation of the Mendota Juvenile Treatment Center (MJTC). Under the bill, the daily rate for care in a Type 1 juvenile correctional facility is \$501 for fiscal year 2019-20, \$513 for the first half of fiscal year 2020-21, and \$588 for the second half of fiscal year 2020-21. Under the bill, DOC is required to transfer \$3,224,100 to DHS for the operation of MJTC in fiscal year 2019-20, and \$5,878,100 in fiscal year 2020-21.

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3 department of corrections shall transfer to the appropriation account under s. 20.435  
4 (2) (kx) \$1,365,500 in each fiscal year and, from the appropriation account under s.  
5 20.410 (3) (hm), the department of corrections shall transfer to the appropriation  
6 account under s. 20.435 (2) (kx) ~~\$2,869,200~~ \$3,224,100 in fiscal year 2017-18  
7 2019-20 and ~~\$2,932,600~~ \$5,878,100 in fiscal year ~~2018-19~~ 2020-21, for services for  
8 juveniles placed at the Mendota juvenile treatment center. The department of health  
9 services may charge the department of corrections not more than the actual cost of  
10 providing those services.

11           **SECTION 2.** 301.26 (4) (d) 2. of the statutes is amended to read:

12           301.26 (4) (d) 2. Beginning on July 1, ~~2017~~ 2019, and ending on June 30, 2018  
13 2020, the per person daily cost assessment to counties shall be ~~\$390~~ \$501 for care in  
14 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), and ~~\$390~~ \$501 for  
15 care for juveniles transferred from a juvenile correctional institution under s. 51.35  
16 (3).

17           **SECTION 3.** 301.26 (4) (d) 3. of the statutes is amended to read:

18           301.26 (4) (d) 3. Beginning on July 1, 2018 ~~2020~~, and ending on June 30, 2019  
19 December 31, 2020, the per person daily cost assessment to counties shall be \$513  
20 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), and \$513  
21 for care for juveniles transferred from a juvenile correctional institution under s.  
22 51.35 (3). Beginning on January 1, 2021, the per person daily cost assessment to  
23 counties shall be ~~\$397~~ \$588 for care in a Type 1 juvenile correctional facility, as

1 defined in s. 938.02 (19), and ~~\$397~~ \$588 for care for juveniles transferred from a  
2 juvenile correctional institution under s. 51.35 (3).

3 (END)