



**ASSEMBLY AMENDMENT 14,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133**

June 29, 1999 – Offered by Representatives COLON, LA FAVE and LASSA.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 6, line 7: after that line insert:

3 “**SECTION 1js.** 13.093 (1) of the statutes is amended to read:

4 13.093 (1) All bills introduced in either house of the legislature for the
5 appropriation of money, providing for revenue or relating to taxation or that require
6 a correctional fiscal estimate under sub. (3) shall be referred to the joint committee
7 on finance before being passed.

8 **SECTION 1jt.** 13.093 (2) (c) of the statutes is repealed.

9 **SECTION 1ju.** 13.093 (3) and (4) of the statutes are created to read:

10 13.093 (3) (a) All bills introduced in either house of the legislature that create
11 a criminal offense for which a sentence to a state prison or a disposition of placement
12 in a juvenile correctional facility may be imposed, that increase the period of

1 imprisonment in a state prison or placement in a juvenile correctional facility for an
2 existing criminal offense, that require a person to be sentenced to imprisonment in
3 a state prison or a juvenile to be placed in a juvenile correctional facility, or that
4 otherwise affect a penalty provision that increases the statewide probation, parole
5 or extended supervision population shall incorporate a correctional fiscal estimate
6 before any vote is taken thereon by either house of the legislature, if the bill is not
7 referred to a standing committee, before any public hearing is held before a standing
8 committee or, if no public hearing is held, before any vote is taken by the standing
9 committee. The correctional fiscal estimate shall estimate the anticipated state
10 fiscal liability for correctional capital and operational costs under the bill including
11 a projection of such costs for the fiscal year in which the bill becomes effective and
12 the 9 succeeding fiscal years. Correctional fiscal estimates shall be prepared as
13 follows:

14 1. The departments or agencies required to prepare the correctional estimate
15 shall submit to the legislative fiscal bureau projections of the impact on statewide
16 probationer, prisoner, parolee, extended supervision and juvenile corrections
17 populations, an estimate of the fiscal impact of such population changes on state
18 expenditures and a statement of the methodologies and assumptions used in making
19 the population projections and estimates of fiscal impact. In preparing this
20 information, a department or agency may request information from other
21 departments or agencies. If a specific estimate cannot be determined, the
22 departments or agencies shall provide an estimated cost range. The departments or
23 agencies shall submit this information to the legislative fiscal bureau within 5
24 working days after the departments or agencies receive a copy of the bill.

1 2. The legislative fiscal bureau shall review the information received from the
2 departments or agencies under subd. 1. The legislative fiscal bureau shall consult
3 with the departments or agencies from which information was received under subd.
4 1. and the departments or agencies shall provide information as requested by the
5 legislative fiscal bureau as necessary to complete the review. Such review shall be
6 completed within 5 working days from the date the legislative fiscal bureau receives
7 the information under subd. 1.

8 3. The departments or agencies preparing information under subd. 1. shall
9 prepare a correctional fiscal estimate and submit it to the legislative reference
10 bureau and the legislative fiscal bureau within 3 working days after the date the
11 legislative fiscal bureau's review period under subd. 2. ends. If a department or
12 agency cannot make a specific estimate, the department or agency shall establish
13 assumptions, including population estimates, that allow a projection to be made and
14 provide an estimated cost range.

15 4. The legislative fiscal bureau shall prepare a statement of its review of the
16 correctional fiscal estimate and submit it to the legislative reference bureau within
17 2 working days after receiving the correctional fiscal estimate.

18 (b) The legislature shall reproduce and distribute correctional fiscal estimates
19 under par. (a) 3. and statements under par. (a) 4. in the same manner as it reproduces
20 and distributes amendments.

21 (c) The legislative reference bureau shall determine whether a bill draft
22 requires a correctional fiscal estimate. A bill draft that requires a correctional fiscal
23 estimate under this subsection shall have that requirement noted on its jacket when
24 the jacket is prepared. When a bill that requires a correctional fiscal estimate under

1 this subsection is introduced, the legislative reference bureau shall submit a copy of
2 the bill to the legislative fiscal bureau and the department of administration.

3 (4) (a) In any bill that requires a correctional fiscal estimate under sub. (3), the
4 joint committee on finance, before recommending the bill for passage, shall
5 recommend adoption of an amendment to increase the appropriation under s. 20.855
6 (4) (em) in an amount equal to the amount of corrections capital and operational costs
7 for the fiscal year in which those costs are estimated to be the highest multiplied by
8 2. This paragraph does not apply if the joint committee on finance determines that
9 the bill does not increase state liability for corrections capital and operational costs
10 or that the bill already contains a provision that increases the appropriation under
11 s. 20.855 (4) (em) in an amount equal to the amount of corrections capital and
12 operational costs for the fiscal year in which those costs are estimated to be the
13 highest multiplied by 2. If the joint committee on finance determines that this
14 paragraph does not apply, the committee's recommendation shall be accompanied by
15 a statement to that effect.

16 (b) Neither house of the legislature may vote on a bill that requires a
17 correctional fiscal estimate under sub. (3) unless it has adopted an amendment to
18 increase the appropriation under s. 20.855 (4) (em) as recommended by the joint
19 committee on finance under par. (a). This provision does not apply to a bill for which
20 the joint committee on finance has prepared a statement under par. (a) that the
21 requirement under that paragraph does not apply to the bill.

22 (c) Neither house of the legislature may vote on an amendment to the executive
23 budget bill or bills introduced under s. 16.47 if the amendment meets the criteria of
24 a bill that requires a correctional fiscal estimate under sub. (3) unless the only

1 provisions in the amendment are identical to the provisions of an introduced bill for
2 which the requirements under sub. (3) and par. (a) have been met.”.

3 **2.** Page 185, line 3: decrease the dollar amount for fiscal year 1999–00 by
4 \$2,250,000 and decrease the dollar amount for fiscal year 2000–01 by \$2,250,000 to
5 decrease funding for the purposes for which the appropriation is made.

6 **3.** Page 188, line 1: after that line insert:

7 “(qd) Principal repayment, interest
8 and rebates SEG A -0- -0-
9 (qg) General operations costs SEG A -0- -0-
10 (qr) Operating costs for community
11 corrections SEG A -0- -0-”.

12 **4.** Page 190, line 5: after that line insert:

13 “(qg) Principal repayment and inter-
14 est costs SEG A -0- -0-
15 (qr) General operations costs SEG A -0- -0-”.

16 **5.** Page 191, line 12: after that line insert:

17 “(f) Grants for prevention programs GPR A 2,250,000 2,250,000”.

18 **6.** Page 198, line 6: after that line insert:

19 “(q) Child abuse prevention SEG A -0- -0-”.

20 **7.** Page 213, line 14: increase the dollar amount for fiscal year 1999–00 by
21 \$1,910,000 and increase the dollar amount for fiscal year 2000–01 by \$1,910,000 to
22 increase funding for transfers to the child abuse and neglect prevention board.

23 **8.** Page 268, line 13: after that line insert:

1 “(em) Corrections special reserve fund
2 contribution GPR A –0– –0–”.

3 **9.** Page 334, line 18: after that line insert:

4 “**SECTION 362x.** 20.410 (1) (qd) of the statutes is created to read:

5 20.410 (1) (qd) *Principal repayment, interest and rebates.* From the corrections
6 special reserve fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for
7 the payment of principal and interest costs incurred in financing the acquisition,
8 construction, development, enlargement or improvement of adult correctional
9 facilities, and to make full payment of the amounts determined by the building
10 commission under s. 13.488 (1) (m) that are attributable to the proceeds of
11 obligations incurred in financing such facilities.

12 **SECTION 362y.** 20.410 (1) (qg) of the statutes is created to read:

13 20.410 (1) (qg) *General operations costs.* From the corrections special reserve
14 fund, the amounts in the schedule for the operation of institutions and to provide
15 field services and administrative services.

16 **SECTION 362zz.** 20.410 (1) (qr) of the statutes is created to read:

17 20.410 (1) (qr) *Operating costs for community corrections.* From the corrections
18 special reserve fund, the amounts in the schedule to provide services related to
19 probation, extended supervision and parole, the intensive sanctions program under
20 s. 301.048, the community residential confinement program under s. 301.046,
21 programs of intensive supervision of adult offenders and minimum security
22 correctional institutions established under s. 301.13.”.

23 **10.** Page 336, line 14: after that line insert:

24 “**SECTION 367e.** 20.410 (3) (qg) of the statutes is created to read:

1 20.410 (3) (qg) *Principal repayment and interest costs.* From the corrections
2 special reserve fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for
3 the payment of principal and interest costs incurred in financing the acquisition,
4 construction, development, enlargement or improvement of juvenile correctional
5 facilities.

6 **SECTION 367f.** 20.410 (3) (qr) of the statutes is created to read:

7 20.410 (3) (qr) *General operations costs.* From the corrections special reserve
8 fund, the amounts in the schedule to operate the department’s juvenile correctional
9 institutions and to provide field services and administrative services.”.

10 **11.** Page 336, line 24: after that line insert:

11 “**SECTION 368p.** 20.433 (1) (f) of the statutes is created to read:

12 20.433 (1) (f) *Grants for prevention programs.* The amounts in the schedule to
13 be used for grants to organizations under s. 48.982 (4), (6) and (7).”.

14 **12.** Page 345, line 4: after that line insert:

15 “**SECTION 399m.** 20.435 (3) (q) of the statutes is created to read:

16 20.435 (3) (q) *Child abuse prevention.* From the corrections special reserve
17 fund, a sum sufficient equal to the earnings on the moneys in the corrections special
18 reserve fund, for the purpose of funding child abuse prevention efforts. Moneys
19 appropriated from this appropriation may not be used to supplant or divert other
20 sources of funding for child abuse prevention efforts.”.

21 **13.** Page 396, line 20: after that line insert:

22 “**SECTION 613L.** 20.855 (4) (em) of the statutes is created to read:

23 20.855 (4) (em) *Corrections special reserve fund contribution.* The amounts in
24 the schedule for transfer to the corrections special reserve fund under s. 25.71.”.

1 **14.** Page 399, line 23: delete “20.410 (1) (e), (ec) and (ko) and (3) (e),” and
2 substitute “20.410 (1) (e), (ec) ~~and~~, (ko) and (qd) and (3) (e) and (qg).”

3 **15.** Page 464, line 2: after that line insert:

4 “**SECTION 696y.** 25.17 (1) (bm) of the statutes is created to read:
5 25.17 (1) (bm) Corrections special reserve fund (s. 25.71);”

6 **16.** Page 470, line 14: after that line insert:

7 “**SECTION 717v.** 25.71 of the statutes is created to read:

8 **25.71 Corrections special reserve fund. (1)** There is established a
9 corrections special reserve fund, consisting of moneys appropriated by the
10 legislature from the general fund under s. 20.855 (4) (em) and earnings from this
11 money. Moneys in the fund may only be used for the following purposes:

12 (a) Debt payments for the department of corrections under s. 20.410 (1) (qd) and
13 (3) (qg).

14 (b) Operation costs for the department of corrections.

15 (c) Community corrections programs.

16 (d) Funding for child abuse prevention programs administered by the
17 department of health and family services.

18 **(2)** All moneys in the fund, other than earnings on the money, shall first be used
19 for the payment of principal and interest costs incurred in financing the acquisition,
20 construction, development, enlargement or improvement of correctional facilities,
21 and to make full payment of the amounts determined by the building commission
22 under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred
23 in financing such facilities. After all such costs have been paid, the moneys may be

1 used for operating costs of the department of corrections and community corrections
2 programs.

3 **(3)** All earnings on the money in the fund shall be used for the purpose of
4 funding child abuse prevention efforts under s. 20.435 (3) (q).”.

5 **17.** Page 655, line 14: after that line insert:

6 **“SECTION 1200f.** 48.982 (4) (a) of the statutes is amended to read:

7 48.982 (4) (a) From the appropriations under s. 20.433 (1) (f), (h), (i), (k), (m)
8 and (q), the board shall award grants to organizations in accordance with the plan
9 developed under sub. (2) (a). In each of the first 2 fiscal years in which grants are
10 awarded, no organization may receive a grant or grants totaling more than \$30,000.

11 **SECTION 1200h.** 48.982 (6) (a) of the statutes is amended to read:

12 48.982 (6) (a) From the appropriations under s. 20.433 (1) (b), (f), (h), (i), (k),
13 (ma) and (q), the board shall award grants to organizations in accordance with the
14 request–for–proposal procedures developed under sub. (2) (a). No organization may
15 receive a grant or grants under this subsection totaling more than \$150,000 in any
16 year.

17 **SECTION 1200k.** 48.982 (7) (a) of the statutes is amended to read:

18 48.982 (7) (a) From the appropriations under s. 20.433 (1) (f), (h), (i), (k) and
19 (q), the board shall award grants to organizations in accordance with the plan
20 developed under sub. (2) (a).”.

21 **18.** Page 687, line 13: delete “\$340,000” and substitute “2,250,000”.

22 **(END)**