



1997 ASSEMBLY BILL 268

April 11, 1997 - Introduced by Representatives VRAKAS, OURADA, WOOD, HUBER, GOETSCH, LADWIG, WALKER and MURAT, cosponsored by Senators MOEN, HUELSMAN, BRESKE, C. POTTER and PANZER. Referred to Committee on Criminal Justice and Corrections.

1 **AN ACT to affect** 1995 Wisconsin Act 352, Section 135 (1) and (2); **relating to:**
2 permitting the department of corrections to administer the juvenile
3 correctional system under policies and procedures not promulgated as rules
4 and providing an exemption from rule-making procedures.

Analysis by the Legislative Reference Bureau

Under current law, the department of corrections (DOC) is required to submit to the legislative council staff proposed rules to administer the laws relating to juvenile corrections by July 1, 1997. Until that date, DOC must administer those laws according to policies and procedures established by DOC, but not promulgated as rules. This bill extends that deadline to January 1, 1998, and requires DOC to administer those laws according to those policies and procedures until the date on which those proposed rules are finally promulgated.

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

5 **SECTION 1.** 1995 Wisconsin Act 352, Section 135 (1) and (2) are amended to
6 read:

7 [1995 Wisconsin Act 352] Section 135 (1) RULE-MAKING DEADLINE. The
8 department of corrections shall submit the proposed rules required under sections

ASSEMBLY BILL 268

1 938.22 (2) (a), 938.357 (5) (g), 938.38 (6), 938.48 (13), 938.533 (2), 938.534 (2), 938.538
2 (7) and 938.78 (3) of the statutes, as created by 1995 Wisconsin Act 77, section
3 938.539 (6) of the statutes, as created by this act, and section 938.993 of the statutes,
4 as affected by 1995 Wisconsin Act 77 to the legislative council staff for review under
5 section 227.15 (1) of the statutes by no later than ~~July 1, 1997~~ January 1, 1998.

6 (2) RULE-MAKING EXCEPTION. Before ~~July 1, 1997~~ the date on which the proposed
7 rules submitted under subsection (1) are finally promulgated, the department of
8 corrections shall administer section 301.02 of the statutes, section 301.03 (9) of the
9 statutes, as affected by 1995 Wisconsin Act 77, section 301.03 (9r) of the statutes, as
10 created by 1995 Wisconsin Act 77, section 301.03 (10) of the statutes, as affected by
11 1995 Wisconsin Acts 27 and 77, and chapter 938 of the statutes, as created by 1995
12 Wisconsin Act 77, according to policies and procedures established by that
13 department, but not promulgated as rules, notwithstanding the absence of rules to
14 administer those sections and that chapter.

15 (END)