



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-2457/1

CMH:cjs:rs

2009 SENATE BILL 147

April 6, 2009 – Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

1 **AN ACT to amend** 165.90 (2) (c) and 165.90 (4) (intro.) of the statutes; **relating**
2 **to:** administration of grant funds under the county-tribal cooperative law
3 enforcement program.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on State-Tribal Relations. It relates to the administration of funds under the county-tribal cooperative law enforcement program under s. 165.90, stats. (program).

Under the program, a county and an American Indian tribe with a reservation located in that county may apply to the Department of Justice (DOJ) for a grant to fund cooperative law enforcement activities. In applying for aid, a county and tribe must prepare a joint program plan (plan). Among other things, the plan must specify "[t]he governmental unit that shall administer aid received and the method by which aid shall be disbursed". [s. 165.90 (2) (c), stats.] DOJ is directed to "distribute ... to each eligible program the amount necessary to implement the plan ...". [s. 165.90 (4) (intro.), stats.]

This bill clarifies the quoted language to make explicit that the plan must specify that either the county or the tribe is to receive and administer the aid, or that they each

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are to receive and administer a portion of the aid. This bill further clarifies that DOJ must distribute funds to the county, the tribe, or both, as specified in the plan.

SECTION 1. 165.90 (2) (c) of the statutes is amended to read:

165.90 (2) (c) The governmental unit that shall receive and administer aid received and the method by which aid shall be disbursed. The joint program plan shall specify that either the tribe or the county shall receive and administer the full amount of the aid or that the tribe and the county each shall receive and administer specified portions of the aid.

SECTION 2. 165.90 (4) (intro.) of the statutes is amended to read:

165.90 (4) (intro.) If the department approves a plan, the department shall certify the program as eligible to receive aid under s. 20.455 (2) (kt). Prior to January 15, of the year for which funding is sought, the department shall distribute from the appropriations under s. 20.455 (2) (kt) to each eligible program the amount necessary to implement the plan,. The department shall distribute the aid to the county, the tribe, or both, as specified in the joint program plan. Distribution of aid is subject to the following limitations:

SECTION 3. Initial applicability.

(1) The treatment of section 165.90 (2) (c) and (4) (intro.) of the statutes first applies to applications for aid under section 165.90 (1) of the statutes for calendar year 2010.

(END)