

1995-96 SESSION  
COMMITTEE HEARING  
RECORDS

Committee Name:

Joint Committee on  
Finance (JC-Fi)

Sample:

Record of Comm. Proceedings ... RCP

- 05hrAC-EdR\_RCP\_pt01a
- 05hrAC-EdR\_RCP\_pt01b
- 05hrAC-EdR\_RCP\_pt02

➤ Appointments ... Appt

➤ \*\*

➤ Clearinghouse Rules ... CRule

➤ \*\*

➤ Committee Hearings ... CH

➤ \*\*

➤ Committee Reports ... CR

➤ \*\*

➤ Executive Sessions ... ES

➤ \*\*

➤ Hearing Records ... HR

➤ \*\*

➤ Miscellaneous ... Misc

➤ 95hrJC-Fi\_Misc\_pt20

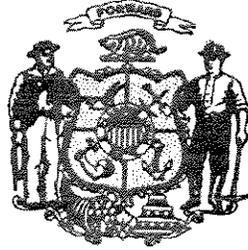
➤ Record of Comm. Proceedings ... RCP

➤ \*\*

# State of Wisconsin

SENATE CHAIR  
JOE LEEAN

Room 119 South, State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882  
Phone: 266-0751



ASSEMBLY CHAIR  
BARBARA J. LINTON

Room 127 South, State Capitol  
P.O. Box 8952  
Madison, WI 53708-8952  
Phone: 266-7690

## JOINT COMMITTEE ON FINANCE

October 13, 1994

MEMO TO: Joint Committee on Finance Members

FROM: Senator Joe Leean, Senate Co-chair  
Representative Barbara J. Linton, Assembly Co-chair

RE: Fond du Lac County request for .5 position

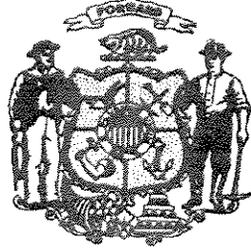
In reference to the October 11, 1994 memo, an objection has been made pertaining to the Department of Administration's request submitted on August 23, 1994 for a 0.5 PR assistant DA two-year project position for Fond du Lac County. This request will be scheduled for the Committee's review under s. 13.10.

JL:BJL:ns

# State of Wisconsin

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BARBARA J. LINTON

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Phone: 266-7690

## JOINT COMMITTEE ON FINANCE

October 11, 1994

MEMO TO: Joint Committee on Finance Members

FROM: Senator Joe Leean, Senate Co-Chair  
Representative Barbara J. Linton, Assembly Co-Chair

RE: Request under s. 16.505 for .5 Assistant District  
Attorney (ADA) for Fond du Lac County

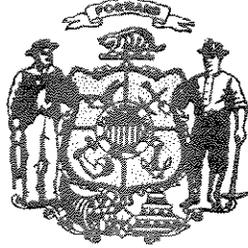
The request for review of the .5 ADA project position for Fond du Lac County has been removed. Unless we are contacted by a Joint Finance Committee member on or before **October 13, 1994** it is the Co-chair's intention to approve the request with the condition that we have strong assurances that this approval does not constitute a commitment of current or future GPR.

JL:BJL:ns

# State of Wisconsin

SENATE CHAIR  
JOE LEEAN

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## JOINT COMMITTEE ON FINANCE

August 24, 1994

To: Joint Committee on Finance Members

From: Senator Joe Leean  
Representative Barbara Linton  
Co-Chairs, Joint Committee on Finance

Attached is a copy of a request from the Department of Administration, dated August 23, 1994, under 16.505(2)/16.515 of the statutes.

Please review this item and notify Senator Leean's office not later than September 8, 1994, if you have any concerns or would like the Committee to meet formally to consider the request.

Also, please contact us if you need additional information.

JL:BJL:jk

Attachments

**CORRESPONDENCE/MEMORANDUM**

**STATE OF WISCONSIN  
Department of Administration**

*Date:* Aug. 23, 1994

*To:* Honorable Joseph Leraan, Co-Chair  
Honorable Barbara J. Linton, Co-Chair

*From:* James R. Klauser *P. Linton to Klauser*  
Secretary  
Department of Administration

*Subject:* s. 16.515/16.505(2) Requests

Enclosed are requests which have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>1993-94</u>		<u>1994-95</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
D. A.'s 20.475(1)(h)	Gifts and Grants				0.5*

\* 2 year project position.

As provided in s. 16.515, this request will be approved on Sep. 14, 1994 unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about this request.

Please contact Roger Grossman at 266-1072, or the analyst who approved the request in the Division of State Executive Budget and Planning, if you have any additional questions.

Attachments:

*exp 3*

**CORRESPONDENCE/MEMORANDUM**

STATE OF WISCONSIN  
Department of Administration

*Date:* August 17, 1994

*To:* James R. Klauser, Secretary  
Department of Administration

*From:* Michael Heifetz, Executive Policy Analyst  
State Budget Office

*Subject:* Request under s. 16.505 for .50 FTE assistant district attorney in Fond du Lac County.

**REQUEST:**

The Department of Administration, on behalf of the Fond du Lac County District Attorney's Office, requests approval of .50 FTE assistant district attorney (ADA) position authorized under s. 20.475(1)(h) in order to prosecute a backlog of child support cases and new child support cases arising under the state's *Work Not Welfare* pilot project, which begins January 1, 1995.

**BACKGROUND:**

The Fond du Lac County district attorney's office currently has 5 FTEs, including one district attorney and four ADAs. Four out of the five FTEs were already in place when the state assumed responsibility for DA funding. The fifth FTE was added by the state through s.13.10 action in December 1989.

Fond du Lac County has been selected to pilot the *Work Not Welfare* initiative and has been awarded a two-year grant of \$52,500 per year from the Department of Health and Social Services (DHSS) in order to enhance child support enforcement efforts, including the costs of prosecution. This grant will fund 100% of the position; no GPR is being requested.

Fond du Lac County currently has a backlog of 200 child support cases that this position will address. Based on 1993 court data, Fond du Lac County averages 196 cases per prosecutor, which ranks 12<sup>th</sup> out of the 71 district attorney offices statewide.

**ANALYSIS:**

The half-time ADA position requested is for two years (January 1, 1995, to December 31, 1996). Fond du Lac County indicates that this time period will be sufficient to address the backlog. It is also consistent with the start of the *Work Not Welfare* initiative and the corresponding availability of funds from DHSS. Therefore, it is appropriate to authorize a half-time ADA two-year project position in order to review and prosecute the backlog of criminal child support enforcement cases. Criminal prosecution of non-paying absent parents has resulted in compliance with child support laws in 65% of the cases prosecuted. Providing additional

James R. Klauser, Secretary

August 17, 1994

Page 2

resources for child support prosecution is expected to reduce the number of Aid to Families with Dependent Children (AFDC) cases and subsequently the cost to taxpayers.

While the DHSS grant will pay Fond du Lac County for the position, the County will be required to reimburse the state through agency 475 because ADAs are state employees. Consequently, the Fond du Lac County Board of Supervisors passed a resolution dedicating \$26,500 in calendar year 1995 and \$29,500 in calendar year 1996 for this purpose. Approval of this request will require additional expenditure authority in s. 20.475(1)(h) of \$10,400 PRO in state fiscal year 1995. Position and PRO expenditure authority for FY96 and FY97 will be included in the formal agency 475 biennial budget request. Since this is a continuing appropriation, approval of the Joint Committee on Finance is required for only the position authorization.

**RECOMMENDATION:**

Approve the request for .50 FTE assistant district attorney as a two-year project position (January 1, 1995, to December 31, 1996), to be paid for by Fond du Lac County with funds from DHSS. This approval does not constitute the commitment of current or future GPR funding for this position. Such approval can only be obtained through the biennial budget process.

STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON  
GOVERNOR  
JAMES R. KLAUSER  
SECRETARY



Mailing address:  
Post Office Box 7869  
Madison, WI 53707-7869

DATE: July 27, 1994

TO: Rick Chandler, Administrator  
State Budget Office

FROM: Linda Seemeyer, Administrator  
Division of Administrative Services

JUL 27 --  
michael

SUBJECT: **REQUEST UNDER S. 16.505/.515 FOR DEPARTMENT 475: FOND DU LAC DISTRICT  
ATTORNEY OFFICE**

On behalf of the State Prosecutors Office, I submit the following request for PR position and expenditure authority for Department 475, District attorneys.

If you have any questions, please direct them to Stuart Morse, Director of the State Prosecutors Office or Richard Wagner in the Division's Bureau of Financial Management.

cc: Stuart Morse  
Richard Wagner

Correspondence/Memo...  
Department of Administration

**Date:** July 25, 1994

**To:** Stuart Morse  
State Prosecutors Office

**From:** Richard Wagner  
Bureau of Financial Management  
Division of Administrative Services

**Subject:** County requests for 16.505/16.515 Authority

I have reviewed the materials you have prepared for the requests from Kenosha and Fond Du Lac counties. They appear to be in order. I suggest you proceed to review them with Linda Seemeyer for her approval and transmission to the State Budget Office.

Please let me know if you have any questions.

cc: Paul McMahan

STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON  
GOVERNOR

JAMES R. KLAUSER  
SECRETARY



Mailing address:  
Post Office Box 7869  
Madison, WI 53707-7869

STATE PROSECUTORS OFFICE \_\_\_\_\_ MEMORANDUM/CORRESPONDENCE  
Telephone No. (608) 267-2700 \_\_\_\_\_ FAX (608) 264-9500

DATE: July 22, 1994

TO: Richard Wagner, Budget Analyst  
Department of Administration

FROM: Stuart Morse, Director *S. M.*  
State Prosecutors Office

SUBJECT: *REQUEST BY FOND DU LAC COUNTY FOR A NEW PROGRAM REVENUE POSITION*

The Fond du Lac County Board and the Fond du Lac District Attorney requested position and expenditure authority for 0.5 FTE PR. Attached for your review are the following items:

1. An analysis of the request.
2. A spreadsheet detailing the basis for the amounts shown in the analysis.
3. A certified copy of the County Board resolution authorizing funding for the position.
4. A memo of transmittal for the request from Linda Seemeyer to Rick Chandler

Please let me know if you have any questions or require any additional information or analysis.

SM

Attachments

DEPARTMENT OF ADMINISTRATION REQUEST UNDER S. 16.505/.515  
FOR FUNDS AND POSITION AUTHORIZATION

I. REQUEST

The Department of Administration requests under s. 16.505 the authorization of 0.5 FTE, PR prosecutorial position in appropriation 20.475 (1) (h) for the Fond du Lac District Attorney's (DA) Office. The Department also requests under s. 16.515 additional authority of \$10,400 in FY 95 for appropriation 20.475 (1) (h). County funding for this position will continue in the next biennium.

II. BACKGROUND

The Fond du Lac County Board of Supervisors on July 19, 1994 enacted Resolution Number 47-94 (attached) to fund one new half-time assistant district attorney (ADA) in the DA office for two years (1/1/95 - 12/31/96). This position will be responsible for reviewing and, if appropriate, prosecuting all criminal child support enforcement cases, especially those arising under the State's new *Work Not Welfare* pilot project underway in that county. Because the State assumed the responsibilities for prosecutorial positions, the ADA will be paid via the State payroll with Fond du Lac County reimbursing the State costs.

III. ANALYSIS

Fond du Lac County, as a matter of policy, has determined that it needs additional prosecutorial resources to successfully carryout its responsibilities under the *Work Not Welfare* initiative being piloted there. The prosecution of criminal child support cases is the responsibility of the district attorney's office under s. 978.05 (1).

IV. FISCAL ANALYSIS

The 0.5 FTE PR Fond du Lac ADA position will cost \$10,400 in FY 95. The County Board in its resolution has dedicated \$26,500 in CY 95 and \$29,500 in CY 96 for this purpose. This is adequate funding for the position in FY 95. Position and funding authorization for FY 96 and FY 97 will be included in the formal Agency 475 biennial budget request.

Full amount:  
2/3 Govt  
1/3 County

Fond du Lac County will pay two-thirds of the cost of this position with funds it receives from the State Department Of Health and Social Services for the Governor's *Work Not Welfare* initiative. The county will pay the remaining one-third with county property tax funds.

ESTIMATED COST OF ONE HALF-TIME ADA IN FY 95 IN FOND DU LAC				
		WAGE		
		RATE	PP	FY 95
START DATE	1/9/95	\$17.762	11	\$7,815.28
TOTAL WAGES				\$7,815.28
FRINGE BENEFITS (%/TOTAL)			0.3225	\$2,520.43
FY 95 TOTAL				\$10,335.71
SM-SPO		Filename: FNDULAC1.xls		7/22/94 16:18



RESOLUTION AUTHORIZING THE PROPER COUNTY OFFICIALS TO ENTER INTO A CONTRACT WITH THE STATE OF WISCONSIN FOR THE SERVICES OF ONE-HALF (.5) TIME ASSISTANT DISTRICT ATTORNEY TO PROVIDE CRIMINAL PROSECUTION LEGAL SERVICES TO THE CHILD SUPPORT AGENCY

WHEREAS, Fond du Lac County has been selected to pilot the Work Not Welfare welfare reform initiative, and, as a result of that initiative, Work Not Welfare program funds are available to enhance County child support enforcement efforts, and

WHEREAS, the Fond du Lac County Board of Supervisors supports child support enforcement initiatives, including criminal prosecution of non-supporting parents pursuant to Wis. Stat. 948.22, and

WHEREAS, criminal prosecution of non-paying absent parents has resulted in compliance with child support laws in approximately 65% of cases prosecuted, and

WHEREAS, the State of Wisconsin, which is responsible for employing all prosecutorial staff of the District Attorney's office, requires an approved county board resolution authorizing the funds necessary to reimburse the State for hiring a prosecutor at the County's request.

NOW, THEREFORE, BE IT RESOLVED by the Fond du Lac County Board of Supervisors that the proper County officials be and hereby are authorized to enter into a contract with the State of Wisconsin for the services of a one-half (.5) time Assistant District Attorney to provide criminal prosecution legal services to the Child Support Agency.

BE IT FURTHER RESOLVED that Fond du Lac County dedicate Work Not Welfare child support agency funds of \$26,500.00 in calendar year 1995 and \$29,500.00 in calendar year 1996 to fund that one-half (.5) time Assistant District Attorney position.

Dated July 19, 1994

John Buwalda  
R. A. Mauch

Stanley K. Kuntz  
Charles Ruchbach

Joseph Marquis  
FINANCE, TAXATION AND PERSONNEL  
COMMITTEE

Richard H. ...

Engel ...  
Maurice ...

David ...  
PROTECTION OF PERSONS AND  
PROPERTY COMMITTEE

**FISCAL NOTE:** No appropriation of county funds required.

APPROVED BY:

Allen J. Bucchel  
Allen J. Bucchel  
COUNTY EXECUTIVE

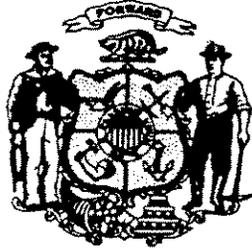
APPROVED BY:

Kathryn J. Haupt  
Kathryn J. Haupt  
CORPORATION COUNSEL

# State of Wisconsin

SENATE CHAIR  
JOE LEEAN

Room 119 South, State Capitol  
P.O. Bo 7882  
Madison, WI 53707-7882  
Phone: 266-0751



ASSEMBLY CHAIR  
BARBARA J. LINTON

Room 127 South, State Capitol  
P.O. Bo 8952  
Madison, WI 53708-8952  
Phone: 266-7690

## JOINT COMMITTEE ON FINANCE

September 13, 1994

Secretary James R. Klauser  
Department of Administration  
101 East Wilson Street, 10th Floor  
Madison, WI 53702

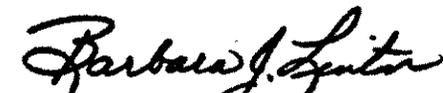
Dear Secretary Klauser:

The Department of Administration has submitted two requests to the Committee under s. 16.515/505(2) relating to assistant district attorney positions. The first, submitted on August 23, 1994, requests a 0.5 PR assistant DA two-year project position for Fond du Lac County for the prosecution of child support cases. The second, submitted on September 1, 1994, requests 1.0 PR assistant DA two-year project position for Kenosha County to prosecute violations of a county anti-obscenity ordinance.

Objections have been expressed regarding both of these requests. The requests will be scheduled for the Committee's review under s. 13.10.

  
JOE LEEAN  
Senate Chair

Sincerely,

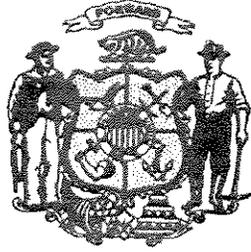
  
BARBARA J. LINTON  
Assembly Chair

cc: Members, Joint Committee on Finance  
Secretary Sullivan

# State of Wisconsin

SENATE CHAIR  
JOE LEEAN

Room 119 South, State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882  
Phone: 266-0751



ASSEMBLY CHAIR  
BARBARA J. LINTON

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Madison, WI 53708-8952  
Phone: 266-7690

## JOINT COMMITTEE ON FINANCE

September 1, 1994

TO: JOINT COMMITTEE ON FINANCE MEMBERS

FROM: Senator Joe Leean  
Representative Barbara J. Linton  
Co-Chair, Joint Committee on Finance

Attached is a copy of a request from the Department of Administration dated September 1, 1994 pursuant to s.16.515 and s.16.505(2) pertaining to a request from Kenosha County District Attorney's office.

Please review this item and notify Senator Leean's office not later than Monday, September 19, 1994 if you have any concerns about the request or would like the Committee to meet formally to consider it.

Also, please contact us if you need additional information.

JL:BJL:ns

Attachments

**CORRESPONDENCE/MEMORANDUM**

STATE OF WISCONSIN  
Department of Administration

Date: Sep. 1, 1994

To: Honorable Joseph Leraan, Co-Chair  
Honorable Barbara J. Linton, Co-Chair

From: James R. Klauser  
Secretary  
Department of Administration

Subject: s. 16.515/16.505(2) Requests

Enclosed are requests which have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>1993-94</u>		<u>1994-95</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
D.A.'s 20.475(1)(h)	Gifts and Grants				1.0*

\* 2 year project position.

As provided in s. 16.515, this request will be approved on Sep. 23, 1994 unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about this request.

Please contact Roger Grossman at 266-1072, or the analyst who approved the request in the Division of State Executive Budget and Planning, if you have any additional questions.

Attachments:

**CORRESPONDENCE/MEMORANDUM**STATE OF WISCONSIN  
Department of Administration

*Date:* August 25, 1994

*To:* James R. Klauser, Secretary  
Department of Administration

*From:* Michael Heifetz, <sup>MH</sup> Executive Policy Analyst  
State Budget Office

*Subject:* Request under s. 16.505 for 1.0 FTE assistant district attorney in Kenosha County.

**REQUEST:**

The Department of Administration, on behalf of the Kenosha County district attorney's office, requests approval of 1.0 assistant district attorney (ADA) position authorized under s. 20.475(1)(h) in order to prosecute cases that will arise as a result of an anti-obscenity ordinance passed in 1992.

**BACKGROUND:**

The Kenosha County district attorney's office currently has 12 FTEs, including one district attorney and eleven ADAs, all of which were already in place when the state assumed responsibility for district attorney (DA) funding. The state has not added any permanent GPR positions.

The Kenosha County Board of Supervisors enacted an anti-obscenity ordinance in order to reduce the amount of obscene material in Kenosha County. It is estimated that this ordinance will result in approximately 150 cases filed annually. However, the Kenosha County DA indicated that the current level of staffing and caseload does not allow the DA to reallocate staff from higher priority cases to obscenity cases. On the basis of 1993 court data, Kenosha county averages 140 cases per prosecutor, which ranks 39<sup>th</sup> out of the 71 district attorney offices statewide.

**ANALYSIS:**

The Kenosha County Board of Supervisors addressed the staffing concern by passing a resolution to provide \$24,400 of county funds for an additional full-time ADA position beginning August 22 for the duration of calendar year 1994. The county anticipates funding this position in its 1995 budget and in subsequent years; no state GPR is being requested. The Kenosha County district attorney's office already has a candidate selected and ready to take office, pending approval of this request. It is expected that the duties of the requested full-time ADA will not be necessary after an initial period of aggressive enforcement of the anti-obscenity ordinance. Therefore, it is appropriate to authorize a full-time ADA two-year project position to review and prosecute cases related to the anti-obscenity ordinance.

James R. Klauser, Secretary  
August 25, 1994  
Page 2

Approval of this request will require additional program revenue expenditure authority in s. 20.475(1)(h) of \$41,900 for the remainder of state fiscal year 1995. The annualized cost of this position is \$50,400. Since this is a continuing appropriation, approval of the Joint Committee on Finance is required for only the position authorization.

**RECOMMENDATION:**

Approve the request for a full-time assistant district attorney as a two-year project position (September 1, 1994, to August 31, 1996), to be paid for entirely by Kenosha County. Place \$41,900 PR for this position in unallotted reserve to be released by the Department of Administration upon sufficient guarantees of payment from Kenosha County. This approval does not constitute the commitment of current or future GPR funding for this position. Such approval can only be obtained through the biennial budget process.

STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON  
GOVERNOR

JAMES R. KLAUSER  
SECRETARY



Mailing address:  
Post Office Box 7869  
Madison, WI 53707-7869

DATE: July 27, 1994

TO: Rick Chandler, Administrator  
State Budget Office

FROM: Linda Seemeyer, Administrator  
Division of Administrative Services

JUL 27 1994  
Michael

SUBJECT: **REQUEST UNDER S. 16.505/.515 FOR DEPARTMENT 475: KENOSHA DISTRICT ATTORNEY OFFICE**

On behalf of the State Prosecutors Office, I submit the following request for PR position and expenditure authority for Department 475, District attorneys.

If you have any questions, please direct them to Stuart Morse, Director of the State Prosecutors Office or Richard Wagner in the Division's Bureau of Financial Management.

cc: Stuart Morse  
Richard Wagner

STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON  
GOVERNOR  
JAMES R. KLAUSER  
SECRETARY



Mailing address:  
Post Office Box 7869  
Madison, WI 53707-7869

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STATE PROSECUTORS OFFICE ————— MEMORANDUM/CORRESPONDENCE  
Telephone No. (608) 267-2700 ————— FAX (608) 264-9500

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DATE: July 22, 1994

TO: Richard Wagner, Budget Analyst  
Department of Administration

FROM: Stuart Morse, Director *S. M.*  
State Prosecutors Office

SUBJECT: *REQUEST BY KENOSHA COUNTY FOR A NEW PROGRAM REVENUE POSITION*

The Kenosha County Board and the Kenosha District Attorney requested position and expenditure authority for 1.0 FTE PR. Attached for your review are the following items:

1. An analysis of the request.
2. A spreadsheet detailing the basis for the amounts shown in the analysis.
3. A certified copy of the County Board resolution authorizing funding for the position.
4. A copy of the anti-obscenity ordinance, the enforcement of which will be the responsibility of the attorney in this new position.
5. A memo of transmittal for the request from Linda Seemeyer to Rick Chandler

Please let me know if you have any questions or require any additional information or analysis.

SM

Attachments

**DEPARTMENT OF ADMINISTRATION REQUEST UNDER S. 16.505/.515  
FOR FUNDS AND POSITION AUTHORIZATION**

**I. REQUEST**

The Department of Administration requests under s. 16.505 the authorization of 1.0 FTE, PR prosecutorial position in appropriation 20.475 (1) (h) for the Kenosha District Attorney's (DA) Office. The Department also requests under s. 16.515 additional authority of \$42,000 in FY 95 for appropriation 20.475 (1) (h).

**II. BACKGROUND**

The Kenosha County Board of Supervisors in 1992 enacted an anti-obscenity ordinance (attached). The DA advised the Board that his office was not adequately staffed to prosecute the cases that would arise under it. As a result, the Board passed Resolution Number 56 (attached) to fund one new full-time assistant district attorney (ADA) in the DA office for that purpose. The position is funded by the County through 12/31/94 and the District Attorney informed the State Prosecutors Office that he was instructed by the County Board to include this position's costs in his CY 95 county budget request.

*Bookstores  
10- possibly  
Dist court  
reimbursed  
provide it-  
he had no  
Sp. 28*

This position will be responsible for reviewing and, if appropriate, prosecuting all cases arising under the obscenity ordinance. Because the State assumed the responsibilities for prosecutorial positions, the ADA will be paid via the State payroll with Kenosha County reimbursing the State costs.

**III. ANALYSIS**

Kenosha County, as a matter of policy, has determined that ending the distribution of obscene material within its borders is a high priority. To that end it has passed an anti-obscenity ordinance it believes is in conformity with appropriate State criminal laws. Under s. 978.05 (2), Duties of the District Attorney, the prosecution of ordinance violations, where the ordinance is in such conformity, is permitted.

**IV. FISCAL ANALYSIS**

The 1.0 FTE PR Kenosha ADA position will cost \$15,100 in CY 94 if filled on August 22, 1994. The remainder of FY 95 will cost \$26,900. The County Board, in its resolution, has provided funding of \$24,378 in CY 94 and anticipates funding this position in subsequent years through its regular annual county budget process. Funding authorization for FY 96 and FY 97, if appropriate, will be included in the formal Agency 475 biennial budget request. Kenosha County will pay the cost of this position with county property tax funds.

KNOSHA1.XLS

ESTIMATED COST OF ONE FULL-TIME ADA IN FY 95 IN KENOSHA						
		WAGE				
		RATE	PP	CY 94	PP	CY 95
			<i>galar.</i>			
START DATE	8/22/94	\$17.762	8	\$11,367.68	5	\$7,104.80
PSICM	2/19/94	\$18.295	<i>17%</i>		9	\$13,172.40
TOTAL WAGES				\$11,367.68		\$20,277.20
FRINGE BENEFITS (% /TOTAL)			0.3225	\$3,666.08		\$6,539.40
CY 94 & CY 95 TOTALS				\$15,033.76		\$26,816.60
FY 95 TOTAL						\$41,850.35
Filename: KNOSHA1.xls			SM-SPO	7/22/94 16:20		

414 653 6411

**NANCY PRINCIPE**  
COUNTY CLERK

# County of Kenosha

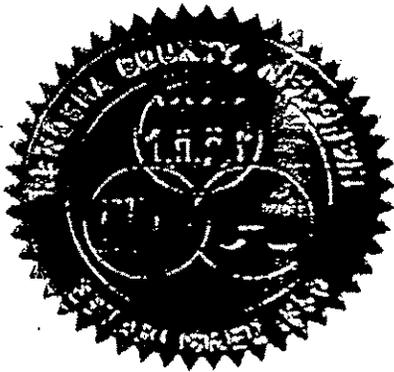
PHONE 414 853-8455  
FAX 414 853-7088



**OFFICE OF COUNTY CLERK**  
812 - 58th STREET  
KENOSHA, WISCONSIN 53140

This is to certify the attached Resolution #56 is a true and correct copy.

Signed this 21st day of July 1994.



*Nancy Principe*

Nancy Principe  
Kenosha County Clerk

Kenosha



County

## BOARD OF SUPERVISORS

RESOLUTION NO. 56

Subject: Resolution to authorize Kenosha County to reimburse the State of Wisconsin \$24,378 in 1994 and <del>\$24,378</del> in 1995 for the purpose of employing an attorney to prosecute obscenity ordinance violations for the period of one year.			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted:		Date Resubmitted:	
Submitted By: Judiciary and Law Enforcement Committee, Finance Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Robert J. Jambois		Signature:	

WHEREAS, in 1992 the Kenosha County Board of Supervisors considered passing an ordinance to address obscenity violations in Kenosha County, and

WHEREAS, the Kenosha County District Attorney advised the Kenosha County Board of Supervisors that the cost of enforcing an obscenity ordinance in Kenosha County could be approximately \$100,000 per year and that currently the Kenosha County District Attorney's Office does not have an attorney on staff who can focus on the prosecution of obscenity ordinance violations, and

WHEREAS, the Kenosha County District Attorney believes that the appropriation of \$24,378 for the remainder of 1994 and ~~\$24,378 for the first six months of 1995~~ would serve as adequate compensation for payment to an attorney to prosecute obscenity ordinance violations, and

WHEREAS, no additional equipment and supplies appropriations will be requested,

WHEREAS, the Kenosha County Board of Supervisors approved the enactment of an obscenity ordinance for Kenosha County and the Kenosha County District Attorney believes funding for the salary for an attorney to prosecute obscenity ordinance violations will enable the Kenosha County District Attorney's Office to prosecute obscenity violations and end the distribution of obscenity in Kenosha County, and

WHEREAS, the Kenosha County District Attorney has an excellent candidate who is ready, willing, and able to serve as a special prosecutor for the prosecution of obscenity cases,

AND WHEREAS, the State of Wisconsin, which is responsible for employing all District Attorney staff, requires an approved County Board Resolution authorizing the funds necessary to reimburse the State for hiring and paying an individual at the County's request,

NOW THEREFORE BE IT RESOLVED that the Kenosha County Board of Supervisors authorizes Kenosha County, through the Kenosha County District Attorney's Office, to reimburse the State of Wisconsin \$24,378 in 1994 and ~~\$24,378 in 1995~~ for the purpose of employing an attorney to prosecute obscenity ordinance violations for the period of one year.

NOW, THEREFORE, BE IT FURTHER RESOLVED that an appropriation of General Fund monies be made in accordance with the attached budget modification, which is incorporated herein by reference, and ~~that the District Attorney's Office 1995 budget will include an additional appropriation to complete the one year period.~~

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

Patricia S. Nelson  
Richard A. Kessler  
William Erb

Joseph L. Mo...

FINANCE COMMITTEE

Richard Hart  
Sharon Kerkman  
Richard A. Kessler

David Haas

\*\*\* It was moved by Supervisor Nelson and seconded by Supervisor Kerkman to adopt Resolution 56 as amended by Corporation Counsel deleting all 1995 Budget Appropriations.

Roll call vote was taken.

Ayes: 23 Naves: 4

Motion carried.

ADOPTED  DEFEATED  REFERRED   
ADOPTED AS AMENDED  WITHDRAWN   
ATTESTED TO BY:

Robert Carlson 7/20/94  
CHAIRMAN - COUNTY BOARD

Nancy Principe 7/21/94  
CLERK

Nancy Principe  
July 21, 1994

CHAPTER 9  
PUBLIC PEACE AND GOOD ORDER

- 9.01 BATTERY  
Section 940.19 and 940.20, Wis. Stats., regarding battery, exclusive of any penalty imposed thereby, is adopted by reference and made a part of this chapter as though set forth in full. (9/28/82)
- 9.02 CARRYING CONCEALED WEAPON  
Any person except a peace officer who goes armed with a concealed and dangerous weapon shall be subject to a forfeiture of not less than \$200 nor more than \$500, and in default of payment, shall be imprisoned in the County Jail for not more than 90 days.
- 9.03 RESISTING OR OBSTRUCTING OFFICER  
Sec. 946.41, Wis. Stats., regarding resisting or obstructing officer, exclusive of any penalty imposed thereby, is adopted by reference and made a part of this chapter as though set forth in full. Any person who violates this section upon conviction thereof, shall be subject to a forfeiture of not more than \$500, and in default of payment, shall be imprisoned in the County Jail for not more than 90 days.
- 9.04 THEFT  
Sec. 943.20, Wis. Stats., regarding theft, exclusive of any penalty imposed thereby, is adopted by reference and made a part of this chapter as though set forth in full.
- 9.05 SHOPLIFTING  
Sec. 943.50, Wis. Stats., regarding shoplifting, exclusive of any penalty imposed thereby, is adopted by reference and made a part of this chapter as though set forth in full.
- 9.06 MALICIOUS DAMAGE TO PROPERTY  
Sec. 943.01(1), (4) and (5), Wis. Stats., regarding malicious damage to property, exclusive of any penalty imposed thereby, is adopted by reference and made a part of this chapter as though set forth in full.
- 9.07 TRESPASS TO LAND  
Sec. 943.13, Wis. Stats., regarding trespass to land, is adopted by reference and made a part of this chapter as though set forth in full.
- 9.08 TRESPASS TO DWELLINGS  
Sec. 943.14, Wis. Stats., regarding trespass to dwellings, exclusive of any penalty imposed thereby, is adopted by reference and made a part of this chapter as though set forth in full.
- 9.09 DISORDERLY CONDUCT  
Sec. 947.01, Wis. Stats., regarding disorderly conduct is adopted by reference and made a part of this chapter as though set forth in full.
- 9.10 LEWD AND LASCIVIOUS BEHAVIOR  
Sec. 944.20(1) and (2), Wis. Stats., regarding lewd and lascivious behavior, exclusive of any penalty imposed thereby, is adopted by reference and made a part of this chapter as though set forth in full.
- 9.10.2 OBSCENITY (10/20/92)
- (1) The county board intends that the authority to prosecute violations of this section shall be used primarily to combat the obscenity industry and shall never be used for harassment or censorship purposes against materials or performances having serious artistic, literary, political, educational or scientific value. The county

board further intends that the enforcement of this ordinance shall be consistent with the First Amendment to the United States Constitution, Article I, Section 3, of the Wisconsin Constitution and the compelling state interest in protecting the free flow of ideas.

(2) In this section:

- (a) "Community" means the State of Wisconsin.
- (b) "Internal revenue code" has the meaning specified in Wisconsin Statutes section 71.01(6).
- (c) "Obscene material" means a writing, picture, sound recording or film which:
  1. The average person, applying contemporary community standards, would find appeals to the prurient interest if taken as a whole;
  2. Under contemporary community standards, describes or shows sexual conduct in a patently offensive way; and
  3. Lacks serious literary, artistic, political, educational or scientific value, if taken as a whole.
- (d) "Obscene performance" means a live exhibition before an audience which:
  1. The average person, applying contemporary community standards, would find appeals to the prurient interest if taken as a whole;
  2. Under contemporary community standards, describes or shows sexual conduct in a patently offensive way; and
  3. Lacks serious literary, artistic, political, educational or scientific value, if taken as a whole.
- (e) "Sexual conduct" means the commission of any of the following: sexual intercourse, sodomy, bestiality, necrophilia, human excretion, masturbation, sadism, masochism, fellatio, cunnilingus or lewd exhibition of human genitals.
- (f) "Wholesale transfer or distribution of obscene material" means any transfer for a valuable consideration of obscene material for purposes of resale or commercial distribution; or any distribution of obscene material for commercial exhibition. "Wholesale transfer or distribution of obscene material" does not require transfer of title to the obscene material to the purchaser, distributor or exhibitor.

(3) Whoever does any of the following with knowledge of the character and content of the material or performance and for commercial purposes is subject to the penalties under sub. (5):

- (a) Imports, prints, sells, has in his or her possession for sale, publishes, exhibits, or transfers any obscene material.
- (b) Produces or performs in any obscene performance.
- (c) Requires, as a condition to the purchase of periodicals, that a retailer accept obscene material.

- (4) Whoever does any of the following with knowledge of the character and content of the material is subject to the penalties under sub. (5):
- (a) Transfers or exhibits any obscene material to a person under the age of 18 years.
  - (b) Has in his or her possession with intent to transfer or exhibit to a person under the age of 18 years any obscene material.
- (5) Any person violating sub. (3) or (4) shall forfeit not less than \$500 nor more than \$10,000. Each day a violation under sub. (3) or (4) continues constitutes a separate violation under this section.
- (6) A contract printer or employee or agent of a contract printer is not subject to prosecution for a violation of sub. (3) regarding the printing of material that is not subject to the contract printer's editorial review or control.
- (7) (a) The county board finds that the libraries and educational institutions under par. (b) carry out the essential purpose of making available to all citizens a current, balanced collection of books, reference materials, periodicals, sound recordings and audiovisual materials that reflect the cultural diversity and pluralistic nature of American society. The county board further finds that it is in the interest of the county to protect the financial resources of libraries and educational institutions from being expended in litigation and to permit these resources to be used to the greatest extent possible for fulfilling the essential purpose of libraries and educational institutions.
- (b) No person who is an employee, a member of the board of directors or a trustee of any of the following is liable to prosecution for violation of this section for acts or omissions while in his or her capacity as an employee, a member of the board of directors or a trustee:
1. A public elementary or secondary school.
  2. A private school, as defined in Wisconsin Statutes section 115.001(3r).
  3. Any school offering vocational, technical or adult education that:
    - a. Is a vocational, technical and adult education district school, is a school approved by the educational approval board under Wisconsin Statutes section 38.51 or is a school described in Wisconsin Statutes section 38.51(9)(f), (g) or (h); and
    - b. Is exempt from taxation under section 501(c)(3) of the internal revenue code.
  4. Any institution of higher education that is accredited, as described in Wisconsin Statutes section 39.30(1)(d), and is exempt from taxation under section 501(c)(3) of the internal revenue code.
  5. A library that receives funding from any unit of government.

- (8) In determining whether material is obscene under sub. (2)(c)1 and 3, a judge or jury shall examine individual pictures or passages in the context of the work in which they appear.
- (9) The provisions of this section, including the provisions of sub. (7), are severable and if any section, clause, provision or portion of this section is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this section shall not be affected thereby.

### 9.10.3 COIN-OPERATED MOVING PICTURE HOUSES

- (1) Intent. The intent of this ordinance is to control the transmission of communicable disease which may or could occur in establishments which show videotapes, coin-operated movies or pictures to individuals in viewing booths in these establishments. This ordinance establishes standards for booth construction and regulations for customers as well as managers of these establishments to prevent the spread of communicable disease.
- (2) Private Visual Presentations in Commercial Establishments. Commercial establishments which offer private viewing of movies, tapes, slides, pictures or live performances of any kind must comply with the following requirements:
- (a) Booth Access. Each booth shall be totally accessible to and from aisles and public areas of the establishment. Access to a booth shall be unobstructed by doors, locks or other control-type devices and open to an unobstructed view by the individual manager, supervisor, clerk, owner or employee responsible for the operation of the establishment.
- (b) Booth Construction.
1. Any booth used to view a movie, tape, slide, picture or live performance of any kind must be so constructed as to discourage sexual activity and the spread of communicable disease by including, but not being limited to the following requirements:
    - a. Every booth shall be separated from adjacent booths and any nonpublic areas by a wall.
    - b. Every booth shall have at least one side totally open to a public and a lighted aisle so that there is an unobstructed view at all times of anyone occupying the booth.
    - c. All walls shall:
      - 1) Be solid, without any openings.
      - 2) Extend from the floor to a height of not less than six (6) feet.
      - 3) Be light-colored, non-absorbent, smooth-textured and easily cleanable.
  2. The floor must be light-colored, non-absorbent, smooth-textured and easily cleanable.
  3. The lighting level of each booth when not in use shall be a minimum of 10 foot candles at all times.

# State of Wisconsin

SENATE CHAIR  
JOE LEEAN

Room 119 South, State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882  
Phone: 266-0751



ASSEMBLY CHAIR  
BARBARA J. LINTON

Room 127 South, State Capitol  
P.O. Box 8952  
Madison, WI 53708-8952  
Phone: 266-7690

## JOINT COMMITTEE ON FINANCE

August 24, 1994

To: Joint Committee on Finance Members

From: Senator Joe Leean  
Representative Barbara Linton  
Co-Chairs, Joint Committee on Finance

Attached is a copy of a request from the Department of Administration, dated August 23, 1994, under 16.505(2)/16.515 of the statutes.

Please review this item and notify Senator Leean's office not later than September 8, 1994, if you have any concerns or would like the Committee to meet formally to consider the request.

Also, please contact us if you need additional information.

JL:BJL:jk

Attachments

**CORRESPONDENCE/MEMORANDUM**

STATE OF WISCONSIN  
Department of Administration

Date: Aug. 23, 1994

To: Honorable Joseph LEEAN, Co-Chair  
Honorable Barbara J. LINTON, Co-Chair

From: James R. Klauser *P. Linton Linton*  
Secretary  
Department of Administration

Subject: s. 16.515/16.505(2) Requests

Enclosed are requests which have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>1993-94</u>		<u>1994-95</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
D. A.'s 20.475(1)(h)	Gifts and Grants				0.5*

\* 2 year project position.

As provided in s. 16.515, this request will be approved on Sep. 14, 1994 unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about this request.

Please contact Roger Grossman at 266-1072, or the analyst who approved the request in the Division of State Executive Budget and Planning, if you have any additional questions.

Attachments:

**CORRESPONDENCE/MEMORANDUM**STATE OF WISCONSIN  
Department of Administration

*Date:* August 17, 1994

*To:* James R. Klauser, Secretary  
Department of Administration

*From:* Michael Heifetz, Executive Policy Analyst  
State Budget Office

*Subject:* Request under s. 16.505 for .50 FTE assistant district attorney in Fond du Lac County.

**REQUEST:**

The Department of Administration, on behalf of the Fond du Lac County District Attorney's Office, requests approval of .50 FTE assistant district attorney (ADA) position authorized under s. 20.475(1)(h) in order to prosecute a backlog of child support cases and new child support cases arising under the state's *Work Not Welfare* pilot project, which begins January 1, 1995.

**BACKGROUND:**

The Fond du Lac County district attorney's office currently has 5 FTEs, including one district attorney and four ADAs. Four out of the five FTEs were already in place when the state assumed responsibility for DA funding. The fifth FTE was added by the state through s. 13.10 action in December 1989.

Fond du Lac County has been selected to pilot the *Work Not Welfare* initiative and has been awarded a two-year grant of \$52,500 per year from the Department of Health and Social Services (DHSS) in order to enhance child support enforcement efforts, including the costs of prosecution. This grant will fund 100% of the position; no GPR is being requested.

Fond du Lac County currently has a backlog of 200 child support cases that this position will address. Based on 1993 court data, Fond du Lac County averages 196 cases per prosecutor, which ranks 12<sup>th</sup> out of the 71 district attorney offices statewide.

**ANALYSIS:**

The half-time ADA position requested is for two years (January 1, 1995, to December 31, 1996). Fond du Lac County indicates that this time period will be sufficient to address the backlog. It is also consistent with the start of the *Work Not Welfare* initiative and the corresponding availability of funds from DHSS. Therefore, it is appropriate to authorize a half-time ADA two-year project position in order to review and prosecute the backlog of criminal child support enforcement cases. Criminal prosecution of non-paying absent parents has resulted in compliance with child support laws in 65% of the cases prosecuted. Providing additional

James R. Klauser, Secretary

August 17, 1994

Page 2

resources for child support prosecution is expected to reduce the number of Aid to Families with Dependent Children (AFDC) cases and subsequently the cost to taxpayers.

While the DHSS grant will pay Fond du Lac County for the position, the County will be required to reimburse the state through agency 475 because ADAs are state employees. Consequently, the Fond du Lac County Board of Supervisors passed a resolution dedicating \$26,500 in calendar year 1995 and \$29,500 in calendar year 1996 for this purpose. Approval of this request will require additional expenditure authority in s. 20.475(1)(h) of \$10,400 PRO in state fiscal year 1995. Position and PRO expenditure authority for FY96 and FY97 will be included in the formal agency 475 biennial budget request. Since this is a continuing appropriation, approval of the Joint Committee on Finance is required for only the position authorization.

**RECOMMENDATION:**

Approve the request for .50 FTE assistant district attorney as a two-year project position (January 1, 1995, to December 31, 1996), to be paid for by Fond du Lac County with funds from DHSS. This approval does not constitute the commitment of current or future GPR funding for this position. Such approval can only be obtained through the biennial budget process.

STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON  
GOVERNOR  
JAMES R. KLAUSER  
SECRETARY



Mailing address:  
Post Office Box 7869  
Madison, WI 53707-7869

DATE: July 27, 1994

TO: Rick Chandler, Administrator  
State Budget Office

FROM: Linda Seemeyer, Administrator  
Division of Administrative Services

JUL 27 1994  
michael

SUBJECT: **REQUEST UNDER S. 16.505/.515 FOR DEPARTMENT 475: FOND DU LAC DISTRICT  
ATTORNEY OFFICE**

On behalf of the State Prosecutors Office, I submit the following request for PR position and expenditure authority for Department 475, District attorneys.

If you have any questions, please direct them to Stuart Morse, Director of the State Prosecutors Office or Richard Wagner in the Division's Bureau of Financial Management.

cc: Stuart Morse  
Richard Wagner

Correspondence/Memo...  
Department of Administration

**Date:** July 25, 1994

**To:** Stuart Morse  
State Prosecutors Office

**From:** Richard Wagner  
Bureau of Financial Management  
Division of Administrative Services

**Subject:** County requests for 16.505/16.515 Authority

I have reviewed the materials you have prepared for the requests from Kenosha and Fond Du Lac counties. They appear to be in order. I suggest you proceed to review them with Linda Seemeyer for her approval and transmission to the State Budget Office.

Please let me know if you have any questions.

cc: Paul McMahon

STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON  
GOVERNOR  
JAMES R. KLAUSER  
SECRETARY



Mailing address:  
Post Office Box 7869  
Madison, WI 53707-7869

STATE PROSECUTORS OFFICE ————— MEMORANDUM/CORRESPONDENCE  
Telephone No. (608) 267-2700 ————— FAX (608) 264-9500

DATE: July 22, 1994  
TO: Richard Wagner, Budget Analyst  
Department of Administration  
FROM: Stuart Morse, Director *S. M.*  
State Prosecutors Office

SUBJECT: *REQUEST BY FOND DU LAC COUNTY FOR A NEW PROGRAM REVENUE POSITION*

The Fond du Lac County Board and the Fond du Lac District Attorney requested position and expenditure authority for 0.5 FTE PR. Attached for your review are the following items:

1. An analysis of the request.
2. A spreadsheet detailing the basis for the amounts shown in the analysis.
3. A certified copy of the County Board resolution authorizing funding for the position.
4. A memo of transmittal for the request from Linda Seemeyer to Rick Chandler

Please let me know if you have any questions or require any additional information or analysis.

SM

Attachments

**DEPARTMENT OF ADMINISTRATION REQUEST UNDER S. 16.505/515  
FOR FUNDS AND POSITION AUTHORIZATION**

**I. REQUEST**

The Department of Administration requests under s. 16.505 the authorization of 0.5 FTE, PR prosecutorial position in appropriation 20.475 (1) (h) for the Fond du Lac District Attorney's (DA) Office. The Department also requests under s. 16.515 additional authority of \$10,400 in FY 95 for appropriation 20.475 (1) (h). County funding for this position will continue in the next biennium.

**II. BACKGROUND**

The Fond du Lac County Board of Supervisors on July 19, 1994 enacted Resolution Number 47-94 (attached) to fund one new half-time assistant district attorney (ADA) in the DA office for two years (1/1/95 - 12/31/96). This position will be responsible for reviewing and, if appropriate, prosecuting all criminal child support enforcement cases, especially those arising under the State's new *Work Not Welfare* pilot project underway in that county. Because the State assumed the responsibilities for prosecutorial positions, the ADA will be paid via the State payroll with Fond du Lac County reimbursing the State costs.

**III. ANALYSIS**

Fond du Lac County, as a matter of policy, has determined that it needs additional prosecutorial resources to successfully carryout its responsibilities under the *Work Not Welfare* initiative being piloted there. The prosecution of criminal child support cases is the responsibility of the district attorney's office under s. 978.05 (1).

**IV. FISCAL ANALYSIS**

The 0.5 FTE PR Fond du Lac ADA position will cost \$10,400 in ~~FY 95~~. The County Board in its resolution has dedicated \$26,500 in CY 95 and \$29,500 in CY 96 for this purpose. This is adequate funding for the position in FY 95. Position and funding authorization for FY 96 and FY 97 will be included in the formal Agency 475 biennial budget request.

*Attachment:  
2/3 Grant  
1/3 county*

Fond du Lac County will pay two-thirds of the cost of this position with funds it receives from the State Department Of Health and Social Services for the Governor's *Work Not Welfare* initiative. The county will pay the remaining one-third with county property tax funds.

FNDULAC1.XLS

ESTIMATED COST OF ONE HALF-TIME ADA IN FY 95 IN FOND DU LAC				
		WAGE		
		RATE	PP	FY 95
START DATE	1/9/95	\$17.762	11	\$7,815.28
TOTAL WAGES				\$7,815.28
FRINGE BENEFITS (%/TOTAL)			0.3225	\$2,520.43
FY 95 TOTAL				\$10,335.71
SM-SPO		Filename: FNDULAC1.xls		7/22/94 16:18



RESOLUTION AUTHORIZING THE PROPER COUNTY OFFICIALS TO ENTER INTO A CONTRACT WITH THE STATE OF WISCONSIN FOR THE SERVICES OF ONE-HALF (.5) TIME ASSISTANT DISTRICT ATTORNEY TO PROVIDE CRIMINAL PROSECUTION LEGAL SERVICES TO THE CHILD SUPPORT AGENCY

WHEREAS, Fond du Lac County has been selected to pilot the Work Not Welfare welfare reform initiative, and, as a result of that initiative, Work Not Welfare program funds are available to enhance County child support enforcement efforts, and

WHEREAS, the Fond du Lac County Board of Supervisors supports child support enforcement initiatives, including criminal prosecution of non-supporting parents pursuant to Wis. Stat. 948.22, and

WHEREAS, criminal prosecution of non-paying absent parents has resulted in compliance with child support laws in approximately 65% of cases prosecuted, and

WHEREAS, the State of Wisconsin, which is responsible for employing all prosecutorial staff of the District Attorney's office, requires an approved county board resolution authorizing the funds necessary to reimburse the State for hiring a prosecutor at the County's request.

NOW, THEREFORE, BE IT RESOLVED by the Fond du Lac County Board of Supervisors that the proper County officials be and hereby are authorized to enter into a contract with the State of Wisconsin for the services of a one-half (.5) time Assistant District Attorney to provide criminal prosecution legal services to the Child Support Agency.

BE IT FURTHER RESOLVED that Fond du Lac County dedicate Work Not Welfare child support agency funds of \$26,500.00 in calendar year 1995 and \$29,500.00 in calendar year 1996 to fund that one-half (.5) time Assistant District Attorney position.

Dated July 19, 1994

John Buwalda  
R. A. Mauch  
Stanley K. Kistner  
Charles R. Schachtel  
Joseph Musinus  
FINANCE, TAXATION AND PERSONNEL  
COMMITTEE

Frank H. ...  
Engel ...  
Maurice ...  
Paul ...  
PROTECTION OF PERSONS AND  
PROPERTY COMMITTEE

**FISCAL NOTE:** No appropriation of county funds required.

APPROVED BY:  
Allen J. Buonici  
Allen J. Buonici  
COUNTY EXECUTIVE

APPROVED BY:  
Kathryn J. Haupt  
Kathryn J. Haupt  
CORPORATION COUNSEL