

Assembly Bill 341...relating to: relating to authorizing counties to use the marriage license fee for purposes related to domestic violence and increasing the assessment imposed on persons convicted of domestic abuse offenses.

BILL SPONSORS

Introduced by Representatives Kreibich, Kaufert, J. Wood, M. Williams, Vrakas, Owens, Ward, Rhoades, Turner, Jeskewitz, Gielow, Musser, Shilling, Ott, Ladwig, Pettis, Balow, Hines, Loeffelholz, Olsen, Berceau, Albers, Van Roy, Weber, Friske, J. Fitzgerald, Suder, Miller, Plouff and Townsend.

Cosponsored by Senators **Roessler, Leibham, Darling, Stepp, Cowles** and Jauch. Referred to Committee on Children and Families.

BILL HISTORY

Assembly Bill 341 was referred to the Assembly Committee on Children and Families on May 13, 2003. A public hearing was held on June 26, 2003. On August 12, 2003 the Assembly Committee on Children and Families recommended passage on a vote of 7-0. On November 17, 2003, the Joint Finance Committee recommended passage on a vote of 15-0. On January 20, 2004 the Assembly recommended passage on a voice vote.

On January 21, 2004 AB 341 was referred to the Senate Committee on Health, Children, Families, Aging and Long Term Care. A public hearing and executive session were held on February 12, 2004.

The Committee recommended passage on a vote of 9-0.

LRB ANALYSIS

Current Law:

Under current law, the fee for a marriage license, which is paid to the county clerk, is \$49.50, but a county board may increase the fee by any amount. Of the amount of the fee, the state receives \$25 and the county retains the remainder, which is \$24.50 if the county board does not increase the fee. Of the amount retained by the county, \$20 must be used for its family court counseling services, under which mediation services are provided to the parties in an action affecting the family, such as a divorce, when custody or physical placement of a child is contested.

Current law also provides funding for services related to domestic violence through the domestic abuse assessment, which a court imposes when sentencing a person for committing a domestic abuse offense. The Department of Health and Family Services uses money from the assessment to award grants to organizations and agencies that provide those services.

Proposed Changes:

This bill does not change the requirement that a county must use \$20 of the portion of the marriage license fee that it keeps for its family court counseling services, but the bill specifically authorizes a county to use any or all of the remaining amount that it keeps for education, training, or services related to domestic violence.

This bill also increases the domestic abuse assessment from \$50 to \$75 per offense.

FISCAL EFFECT

Department of Health and Family Services

The bill is estimated to increase the amount of program revenue received for domestic abuse grants to \$569,930. Therefore, changing the domestic abuse assessment from

	\$50 to \$75 per offense would result in an annual increase of \$189,980 PR.
SUPPORT	The following people appeared in favor of this bill: (1) Mary Lauby, WI. Coalition Against Domestic Violence; (2) Senator Carol Roessler; and (3) Chris Ladwig, Representative Rob Kreibich's Office. The following people registered in favor of this bill: (1) Reverend Sue Moline Larson, Lutheran Office for Public Policy in WI; (2) Senator Rob Cowles, 2nd Senate District; and (3) Mickey Beil, Dane County.
OPPOSITION	No one registered or appeared in opposition to this bill.
CONTACT	Jennifer Halbur, Senator Carol Roessler, 266-5300
DATE	March 9, 2004

Seaquist, Sara

From: Patti Seger [pattis@wcadv.org]
Sent: Wednesday, March 10, 2004 9:35 AM
To: allsen@legis.state.wi.us
Subject: Assembly Bill 341



AB 341 Letter to
Joint Finance...

Dear Senators;

Assembly Bill 341 has been scheduled for action on today's Senate floor calendar. This bill is a critical piece of legislation for local domestic violence programs. It is supported by the WI Coalition Against Domestic Violence, the Governor's Council on Domestic Abuse, and local domestic abuse programs throughout WI.

During the past two years, local domestic abuse programs have lost unprecedented levels of funding. Federal sources have been cut (VOCA, VAWA, and FVPSA), Wisconsin reduced funding for domestic abuse programs by 3%, local funders (counties and cities) have passed on cuts in shared revenues to domestic abuse programs, and charitable giving is at an all time low causing many foundations, such as the United Way, to reduce funding levels for local programs.

This bill can help stabilize funding for domestic abuse programs in two ways:

1-It increases the domestic abuse penalty assessment, an assessment paid by CONVICTED domestic abuse offenders, by \$25. The domestic abuse penalty assessment has existed since 1989 and has never been raised in 15 years. The assessment collections are treated as program revenue by the state and are funneled directly back to local domestic abuse programs as a portion of the state's Domestic Abuse grant program administered by DHFS. It is anticipated that raising the assessment could generate an additional \$200,000 in revenues for domestic abuse services. Although this amount is not even equal to the 3% state funding cut experienced last budget, much less the rest of the funding losses, it will certainly be helpful in offsetting some of the losses suffered by these critical programs.

2-It opens the possibility for counties to utilize some of the funds they retain from marriage license fees to fund local domestic abuse services. It does not raise marriage license fees nor does it require counties to use the funds for domestic abuse services. It merely creates the possibility. Local government will still decide how best to spend those dollars and if they believe funding domestic abuse services is a priority, they can use marriage license revenues to do so.

I have attached a memo that I prepared for Joint Finance on this issue. I hope it will provide any additional information that you find necessary in evaluating your decision to hopefully support this bill. This bill has passed the Assembly Committee on Children and Families unanimously, passed Joint Finance unanimously, passed the Assembly unanimously, and passed the Senate Committee on Health, Children, Families, Aging and Longterm Care unanimously. It is unopposed by any organization (please note: the Ethics Board website does note that Dean Medical and St. Mary's Hospital oppose this bill...we have been informed that was an erroneous entry by those organizations who believed they were registering against AB 314. Thus far the Ethics Board has not removed this error from the website however, Michael Heifetz, lobbyist for both organizations, assures us that Dean and St. Mary's have no opposition to AB 341).

Please feel free to contact me with questions if you have any. I can be reached at 608-255-0539 or 608-712-6643 (cell).

Sincerely,

Patti Seger
Policy Development Coordinator
WI Coalition Against Domestic Violence <<AB 341 Letter to Joint Finance.doc>>



November 7, 2003

MEMO

TO: Members of the Committee on Joint Finance

FROM: Patti Seger, Wisconsin Coalition Against Domestic Violence, Policy Development Coordinator, 608-255-0539 or email: pattis@wcadv.org

RE: Support for Assembly Bill 341

Assembly Bill 341 is scheduled for review by the Committee on Joint Finance on Monday, November 10, 2003. On behalf of the Wisconsin Coalition Against Domestic Violence (WCADV), a non-partisan, statewide membership program representing domestic violence programs and victims and their children, I urge you to support the language offered in this bill.

Currently, 58 non-profit agencies and 11 tribes receive funding from the Department of Health and Family Services (DHFS) to provide services to victims of domestic abuse and their children at over 100 program sites in Wisconsin. Domestic abuse services are offered in all 72 counties. In the past five years, domestic abuse programs have experienced a more than 30% increase in requests for services. Yet, there have been no significant increases in state funding to domestic abuse programs since 1997. Instead in 2003, for the first time, the state cut funding to domestic abuse programs by three percent in response to a larger state budget crisis.

Wisconsin domestic abuse programs provide direct services to well over 30,000 women, children and men each year, a number that has been steadily increasing. And while public and governmental support for services to families experiencing domestic violence has steadily increased, the current funding climate puts these critical services at high risk for reduction or elimination altogether. If the state decrease of 3% was the only funding cut that domestic abuse programs were facing, such a reduction could be absorbed by many programs. However, local domestic abuse programs are now facing funding cuts from many of their long-time funding sources despite the dramatic increases in the numbers of persons needing services. At this time, we are anticipating that local domestic violence programs will experience an overall loss of between 20-30% of their funding within the next year. Reductions in federal funding sources (Victim of Crime Act, Violence Against Women Act, Family Violence Prevention and Services Act, and Housing and Urban Development); as well as the 3% state reduction; the loss of \$750,000 in federal funds to the Refugee Family Strengthening Projects; and cuts from County/City government, United Way and dramatic decreases in charitable giving contribute to this funding crisis. The grid below illustrates the reductions that local domestic violence programs are experiencing. While the grid indicates the losses are "anticipated", WCADV is now being flooded with calls from local programs as they receive word of vastly reduced funding

levels from local governmental and foundation funding sources. The losses that were once anticipated are now becoming a stark reality for many programs.

Total Domestic Violence Program Operating Budgets¹	\$22,342,794
Actual or Anticipated Funding Loss by Source	Amount
Federal funds from VOCA, VAWA, FVPSA, and HUD ²	\$903,500
Wisconsin TANF funds to DHFS Domestic Abuse Program ³	\$250,000
Federal Office of Refugee Resettlement Grants to Refugee Family Strengthening Programs	\$750,000
Estimated cuts from local funding sources such as county and city governments, United Way, and charitable giving (representing 10-20% of total operating budgets) ⁴	\$2,234,279 - 4,468,558
Total Anticipated Losses	\$4,137,779 – 6,372,058

Assembly Bill 341 provides a practical solution, at least in part, to the funding crisis now facing local domestic abuse providers. The bill does two things: 1) it increases the domestic abuse assessment paid by domestic batterers upon conviction and 2) it calls attention to the fact that units of local government can utilize a portion of the marriage license fees collected by counties to fund domestic abuse services. The increase in the domestic abuse assessment, the first ever in nearly 15 years, puts at least part of the responsibility for the need to fund domestic abuse services squarely where it belongs: on the shoulders of batterers. The proposed change to marriage license fees merely provides a suggestion that funds can be used for domestic abuse services. This change does not increase marriage license fees nor does it mandate counties to use fees for the purpose of providing domestic abuse services. However, as many counties are now cutting funding to local domestic violence service providers, it will give those counties a place to look for potential replacement funding.

¹ Figure is based on cumulative 2002 budgets of domestic abuse programs in Wisconsin. The 2003 total may be more or less than this figure, therefore this amount should be considered an estimate.

² Please note: these calculations are based on approximations. Except where specifically noted, it is impossible to know exact amounts of reductions for several of these funds. Funds are not divided equitably among all states, however for purposes of approximate calculations each known reduction was divided equally among the 50 states. Wisconsin will lose \$623,000 VOCA Victim Assistance funds in 2003 allocations. Approximately 50% of Victim Assistance grants are awarded to domestic abuse programs equaling approximately \$311,500. FVPSA has been reduced by \$500,000 in FY 2004 divided by 50 states equals \$10,000. HUD is reduced by \$250 million for FY 2003. This number, divided by 50 states equals \$500,000. VAWA programs have been reduced by \$ 4.1 million, divided by 50 states equals \$82,000. Figures are for Federal FYs 2003 and 2004. Future reductions beyond this point are not yet known.

³ 2003 Act 33.

⁴ These losses are expressed as a range because at this time, it is difficult to estimate the long-term effects of the recession on charitable giving both to foundations that support local domestic abuse services and direct contributions to programs. Many programs have already been informed by local United Way agencies that they will suffer reductions ranging from 10-50%. Additionally, any reductions in Shared Revenues will be passed on to local domestic abuse programs by County and City funders. Some programs lost local funding in 2001-02 after the proposed cuts to the Shared Revenues program by Governor McCallum. Those programs that suffered reductions did not have funding reinstated despite the continuation of the Shared Revenues program.

Those hurt most by lack of services are families that need domestic abuse services. Sadly, the choice by many local funders to dramatically reduce, or eliminate domestic abuse funding altogether, will not ultimately yield savings. Those communities will likely see increases in requests for law enforcement assistance, increased health care costs and emergency room visits, employers will suffer lost productivity, and children from violent homes will be less likely to be successful in school. The societal cost of domestic violence is great. The presence of services to assist families in transitioning to services ultimately save more dollars than those services cost.

WCADV hopes that the funding reductions do not lead to the elimination of domestic violence services in any Wisconsin communities. However, we do know that services will be changed by being so greatly reduced. AB 341 will provide an opportunity to replace some of those funding losses. Victims of domestic violence and their children count of services being there in their communities. WCADV is hopeful that you will look favorably upon AB 341 so that those families experiencing abuse receive the support they so critically need.

ROB KREIBICH
STATE REPRESENTATIVE
NINETY THIRD ASSEMBLY

JAN 22 2004

MADISON OFFICE
(608) 266-0660



DISTRICT OFFICE
(715) 839-1064

CHAIR

UNIVERSITIES

January 22, 2004

Senator Carol Ro
Chair for Commit
8 South, State Ca

Dear Senator Roe

Left 1/22/04
Voice mail for Rep.
Kreibich letting him
know that Ck will
hold a hearing in
Feb.

Long Term Care

I am writing to urge you to schedule a hearing in January on our legislation, AB 341, authorizing counties to use the marriage license fee for purposes related to domestic violence and increasing the assessment imposed on persons convicted of domestic abuse offenses. You are the Senate lead author for the bill, and it was referred to your committee on January 21, 2004.

The bill passed out of the Assembly unanimously this month. The bill raises the court assessment of convicted domestic abusers by \$25. It is a fee has not gone up in 14 years since 1989. Also, this bill allows (but does not mandate) counties to allocate a percentage of dollars collected by the marriage license fee to be used for local domestic violence programs. This bill does not raise the marriage license fee, and it does not require counties to earmark dollars solely for domestic violence programs.

Thank you for you consideration.

Sincerely,

Rob Kreibich
State Representative
93rd Assembly District

Assembly Bill 341

RELATING TO AUTHORIZING COUNTIES TO USE THE MARRIAGE LICENSE FEE FOR PURPOSES RELATED TO DOMESTIC VIOLENCE AND INCREASING THE ASSESSMENT IMPOSED ON PERSONS CONVICTED OF DOMESTIC ABUSE OFFENSES.

- **Under current law**, the fee for a marriage license, which is paid to the county clerk, is \$49.50, but a county board may increase the fee by any amount.
- Of the amount retained by the county, \$20 must be used for its family court counseling services, under which mediation services are provided to the parties in an action affecting the family, such as a divorce, when custody or physical placement of a child is contested.
- **This bill** does not change the requirement that a county must use \$20 of the portion of the marriage license fee that it keeps for its family court counseling services, **but the bill specifically authorizes a county to use any or all of the remaining amount that it keeps for education, training, or services related to domestic violence.**
- **Current law** also provides funding for services related to domestic violence through the domestic abuse assessment, which a court imposes when sentencing a person for committing a domestic abuse offense.
- **This bill** also increases the domestic abuse assessment from \$50 to \$75 per offense.
- **AB 341** passed the Assembly Committee on Children and Families 7-0.
- **The JFC** passed the bill 15-0.
- **The Assembly** passed the bill on January 20th (voice vote).
- **DHFS fiscal note:** Changing the domestic abuse assessment from \$50 to \$75 per offense would result in an annual increase of \$189,980 PR.

Vote Record

Committee on Health, Children, Families, Aging and Long Term Care

Date: 2/12

Moved by: CR

Seconded by: Schultz

AB
3/11
passed

AB _____

SB _____

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment _____

AR _____

SR _____

Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- | | | | | |
|---------------------------------------|------------------------------------|---------------------------------------|---|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Adoption | <input type="checkbox"/> Confirmation | <input type="checkbox"/> Concurrence | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Rejection | <input type="checkbox"/> Tabling | <input type="checkbox"/> Nonconcurrence | |

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Carol Roessler, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ronald Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Welch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dale Schultz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Charles Chvala	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Jauch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	9	0	_____	_____

Motion Carried

Motion Failed

AB 341

Seaquist, Sara

From: Patti Seger [pattis@wcadv.org]
Sent: Thursday, February 26, 2004 11:13 AM
To: sen.panzer@legis.state.wi.us
Cc: rep.kreibich@legis.state.wi.us; sen.roessler@legis.state.wi.us
Subject: AB 341

Dear Senator Panzer;

I am writing to urge the scheduling of Assembly Bill 341. Authored by Sen. Carol Roessler and Rep. Robin Kriebich, AB 341 increases the domestic abuse assessment by \$25. This assessment is paid by domestic batterers upon conviction and has not been raised ever...which is 15 years at this point. Given the recent funding cuts...federally, state, and locally...experienced by domestic abuse programs, we are hoping that this modest increase in the domestic abuse assessment will help programs that are struggling financially so that services can continue to be offered in all 72 WI counties. This bill passed the Assembly committee unanimously, passed Joint Finance Committee unanimously, passed the Assembly unanimously, and passed the Senate committee unanimously. All that remains is one final vote on the Senate floor. It is an important, and non-controversial, bill.

I have attached a memo that I prepared for the Joint Finance Committee back in November. The memo outlines the status of funding for domestic abuse programs and discusses the benefit of this bill. Thank you so much for consideration of our organization's comments. I hope to see AB 341 scheduled soon for a vote in the Senate.

Best regards,

Patti Seger
Policy Development Coordinator
Wisconsin Coalition Against Domestic Violence
608-255-0539
fax: 608-255-3560
email: pattis@wcadv.org

I told Panzer's office that this bill is on your list of bills you'd like to see up this session... non-controversial





November 7, 2003

MEMO

TO: Members of the Committee on Joint Finance

FROM: Patti Seger, Wisconsin Coalition Against Domestic Violence, Policy Development Coordinator, 608-255-0539 or email: pattis@wcadv.org

RE: Support for Assembly Bill 341

Assembly Bill 341 is scheduled for review by the Committee on Joint Finance on Monday, November 10, 2003. On behalf of the Wisconsin Coalition Against Domestic Violence (WCADV), a non-partisan, statewide membership program representing domestic violence programs and victims and their children, I urge you to support the language offered in this bill.

Currently, 58 non-profit agencies and 11 tribes receive funding from the Department of Health and Family Services (DHFS) to provide services to victims of domestic abuse and their children at over 100 program sites in Wisconsin. Domestic abuse services are offered in all 72 counties. In the past five years, domestic abuse programs have experienced a more than 30% increase in requests for services. Yet, there have been no significant increases in state funding to domestic abuse programs since 1997. Instead in 2003, for the first time, the state cut funding to domestic abuse programs by three percent in response to a larger state budget crisis.

Wisconsin domestic abuse programs provide direct services to well over 30,000 women, children and men each year, a number that has been steadily increasing. And while public and governmental support for services to families experiencing domestic violence has steadily increased, the current funding climate puts these critical services at high risk for reduction or elimination altogether. If the state decrease of 3% was the only funding cut that domestic abuse programs were facing, such a reduction could be absorbed by many programs. However, local domestic abuse programs are now facing funding cuts from many of their long-time funding sources despite the dramatic increases in the numbers of persons needing services. At this time, we are anticipating that local domestic violence programs will experience an overall loss of between 20-30% of their funding within the next year. Reductions in federal funding sources (Victim of Crime Act, Violence Against Women Act, Family Violence Prevention and Services Act, and Housing and Urban Development); as well as the 3% state reduction; the loss of \$750,000 in federal funds to the Refugee Family Strengthening Projects; and cuts from County/City government, United Way and dramatic decreases in charitable giving contribute to this funding crisis. The grid below illustrates the reductions that local domestic violence programs are experiencing. While the grid indicates the losses are "anticipated", WCADV is now being flooded with calls from local programs as they receive word of vastly reduced funding

levels from local governmental and foundation funding sources. The losses that were once anticipated are now becoming a stark reality for many programs.

Total Domestic Violence Program Operating Budgets¹	\$22,342,794
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Federal funds from VOCA, VAWA, FVPSA, and HUD ²	\$903,500
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Federal Office of Refugee Resettlement Grants to Refugee Family Strengthening Programs	\$750,000
Estimated cuts from local funding sources such as county and city governments, United Way, and charitable giving (representing 10-20% of total operating budgets) ⁴	\$2,234,279 - 4,468,558
Total Anticipated Losses	\$4,137,779 – 6,372,058

Assembly Bill 341 provides a practical solution, at least in part, to the funding crisis now facing local domestic abuse providers. The bill does two things: 1) it increases the domestic abuse assessment paid by domestic batterers upon conviction and 2) it calls attention to the fact that units of local government can utilize a portion of the marriage license fees collected by counties to fund domestic abuse services. The increase in the domestic abuse assessment, the first ever in nearly 15 years, puts at least part of the responsibility for the need to fund domestic abuse services squarely where it belongs: on the shoulders of batterers. The proposed change to marriage license fees merely provides a suggestion that funds can be used for domestic abuse services. This change does not increase marriage license fees nor does it mandate counties to use fees for the purpose of providing domestic abuse services. However, as many counties are now cutting funding to local domestic violence service providers, it will give those counties a place to look for potential replacement funding.

¹ Figure is based on cumulative 2002 budgets of domestic abuse programs in Wisconsin. The 2003 total may be more or less than this figure, therefore this amount should be considered an estimate.

² Please note: these calculations are based on approximations. Except where specifically noted, it is impossible to know exact amounts of reductions for several of these funds. Funds are not divided equitably among all states, however for purposes of approximate calculations each known reduction was divided equally among the 50 states. Wisconsin will lose \$623,000 VOCA Victim Assistance funds in 2003 allocations. Approximately 50% of Victim Assistance grants are awarded to domestic abuse programs equaling approximately \$311,500. FVPSA has been reduced by \$500,000 in FY 2004 divided by 50 states equals \$10,000. HUD is reduced by \$250 million for FY 2003. This number, divided by 50 states equals \$500,000. VAWA programs have been reduced by \$ 4.1 million, divided by 50 states equals \$82,000. Figures are for Federal FYs 2003 and 2004. Future reductions beyond this point are not yet known.

³ 2003 Act 33.

⁴ These losses are expressed as a range because at this time, it is difficult to estimate the long-term effects of the recession on charitable giving both to foundations that support local domestic abuse services and direct contributions to programs. Many programs have already been informed by local United Way agencies that they will suffer reductions ranging from 10-50%. Additionally, any reductions in Shared Revenues will be passed on to local domestic abuse programs by County and City funders. Some programs lost local funding in 2001-02 after the proposed cuts to the Shared Revenues program by Governor McCallum. Those programs that suffered reductions did not have funding reinstated despite the continuation of the Shared Revenues program.

Those hurt most by lack of services are families that need domestic abuse services. Sadly, the choice by many local funders to dramatically reduce, or eliminate domestic abuse funding altogether, will not ultimately yield savings. Those communities will likely see increases in requests for law enforcement assistance, increased health care costs and emergency room visits, employers will suffer lost productivity, and children from violent homes will be less likely to be successful in school. The societal cost of domestic violence is great. The presence of services to assist families in transitioning to services ultimately save more dollars than those services cost.

WCADV hopes that the funding reductions do not lead to the elimination of domestic violence services in any Wisconsin communities. However, we do know that services will be changed by being so greatly reduced. AB 341 will provide an opportunity to replace some of those funding losses. Victims of domestic violence and their children count on services being there in their communities. WCADV is hopeful that you will look favorably upon AB 341 so that those families experiencing abuse receive the support they so critically need.

State Senator
Carol Roessler



Memorandum

TO: Carol
FROM: Sara
DATE: February 11, 2004
SUBJECT: AB 341

- You are the Senate Lead. Kreibich is Assembly Lead.
- AB 341 authorizes counties to use the marriage license fee for purposes related to domestic violence and increasing the assessment imposed on persons convicted of domestic abuse offenses.
- This bill does NOT require counties to use the \$4.50 of the \$24.50 obtained for domestic abuse education, etc purposes. It simply *clarifies* that that \$ can be used for these purposes.
- The only thing that this bill changes from current law is that 1) it clarifies that \$ can be used for dom violence (which isn't really a change) and 2) raises domestic abuse assessment from \$50- \$75 for each offense.
- Again...this bill in no way mandates how the county clerk should use this \$.

Seaquist, Sara

From: Marilyn.Merten@co.washington.wi.us
Sent: Wednesday, February 11, 2004 12:09 PM
To: Sen.Kanavas@legis.state.wi.us; sen.roessler@legis.state.wi.us; Sen.brown@legis.state.wi.us; sen.welch@legis.state.wi.us; sen.schultz@legis.state.wi.us
Cc: Sen.Panzer@legis.state.wi.us; Sen.Darling@legis.state.wi.us; Rep.LehmanM@legis.state.wi.us; Rep.Grothman@legis.state.wi.us; Rep.Jeskewitz@legis.state.wi.us; Rep.Gottlieb@legis.state.wi.us
Subject: AB-341

As Legislative Chair of WCCA (Wisconsin County Clerks Association), I wish to voice opposition to AB-341 relating to specifically authorizing a county to use any or all of the remaining amount that it keeps of the marriage license fee for education, training or services related to domestic violence.

If funds are needed for domestic violence, then County's should budget for them in that appropriate account. It is unfair for the County Clerk to have the small amount of revenue it generates for the issuance of a marriage license to be used for expenses to cover another service of government. As funds get tighter and tighter, the department generating the funds should be able to offset its expense with the revenues it generates. This is not the appropriate way for domestic violence to obtain funding. I understand the language says may and not shall; however, I believe it should be removed from the proposed legislation.

Marilyn H. Merten
Washington County Clerk
(262) 335-4305
Fax: (262) 306-2208
Email: clkmarilyn@co.washington.wi.us

I talked w/
Sue Ertmer
Karen Gibson } *both originally opposed*
the bill but
explained it & now
they don't...



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

November 10, 2003

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Assembly Bill 341: Revenue for Domestic Violence Programs

Assembly Bill 341 would explicitly permit, but not require, counties to use a portion of the marriage license fees they collect for education, training, or services related to domestic violence. In addition, the bill would increase, from \$50 to \$75, the domestic abuse assessment paid by individuals convicted of domestic abuse offenses.

On August 12, 2003, the Assembly Committee on Children and Families recommended passage of AB 341 by a vote of 7 to 0.

CURRENT LAW

Marriage License Fee. The current statutory fee for a marriage license is \$49.50. Of this amount, \$25.00 is forwarded to the State Treasury and deposited to the general fund. The remaining \$24.50 is retained by the county that issues the marriage license, of which \$20.00 must be used for family court counseling services. Because the county clerk also receives a \$0.50 standard notary fee, the minimum fee an applicant pays for a marriage license in Wisconsin is \$50.00. In addition, counties may increase the statutory fee by any amount and retain the additional revenue generated from that increase. In 2003, marriage license fees (including the standard notary fee) varied from the minimum amount of \$50.00 in 24 counties to \$95.00 in Waukesha County.

Domestic Abuse Assessment. If a court imposes a sentence on an adult or places an adult on probation for violating certain crimes against life and bodily security, crimes against property, bail jumping, or crimes against public peace, order, and other interests, regardless of whether any fine is imposed, the court must also impose a domestic abuse assessment for each offense (unless the court determines that the assessment would have a negative impact on the offender's family). For these

convictions, the domestic abuse assessment applies only to those cases in which the defendant's conduct was directed against a spouse or former spouse, against an adult with whom the defendant resides or formerly resided, or against an adult with whom the defendant has created a child. The court must also impose the assessment if the court convicts a person of knowingly violating a temporary domestic abuse restraining order or injunction.

Currently, the domestic abuse assessment is \$50 for each offense. Counties forward all revenue from the assessment to the state. This revenue is credited to a PR continuing appropriation in the Department of Health and Family Services (DHFS), which the Department distributes, in combination with other state and federal funds, as grants for services to victims of domestic violence. In 2002-03, DHFS received \$387,600 in program revenue from this source.

SUMMARY OF BILL

AB 341 would allow, but not require, counties to use any or all of the county share of the marriage license fee revenue to support education, training, or services related to domestic violence. The county share is equal to the difference between the license fee, the \$25.00 paid to the state and the \$20.00 to support family court counseling services. At a minimum, this amount would be \$4.50 per license.

AB 341 would also increase the domestic abuse assessment by \$25, from \$50 to \$75. This increase would apply for any sentence imposed by a court on or after the bill's effective date, regardless of when the offense was committed.

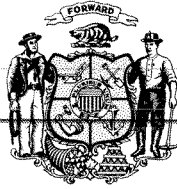
FISCAL EFFECT

Based on the program revenue DHFS received from the domestic abuse assessment in 2002-03 (\$387,600), a 50% increase in the domestic abuse assessment is estimated to increase annual revenues to support domestic abuse grants by approximately \$193,800. Depending on the bill's effective date, some of these additional revenue may be received in 2003-04. The provision that would explicitly authorize counties to use a portion of the marriage fee license revenue they retain on domestic abuse services would have no effect on county or state revenue or costs.

Prepared by: Yvonne M. Onsager

AB 341

Seaquist, Sara



From: Halbur, Jennifer
Sent: Friday, November 07, 2003 7:36 PM
To: Seaquist, Sara
Subject: FW: Assembly Bill 341

Carol Roessler
STATE SENATOR

Cr inbox

-----Original Message-----

From: Patti Seger [mailto:pattis@wcadv.org]

Sent: Friday, November 07, 2003 2:20 PM

To: Sen.Darling; Rep.Kaufert; Sen.Welch; Sen.Lazich; Sen.Kanavas; Sen.Harsdorf; Sen.Fitzgerald; Sen.Decker; Sen.Moore; Rep.Huebsch; Rep.Ward; Rep.Meyer; Rep.Stone; Rep.Rhoades; Rep.Coggs; Rep.Schooff

Cc: rep.kriebich@legis.state.wi.us; Sen.Roessler

Subject: Assembly Bill 341

Dear members of Committee on Joint Finance;

Attached is a memo in support of Assembly Bill 341 which is scheduled for consideration by the Committee on Joint Finance on Monday, November 10, 2003. If you should have any questions, please feel free to call or email me.

Best regards,

Patti Seger
Policy Development Coordinator
Wisconsin Coalition Against Domestic Violence
608-255-0539
fax: 608-255-3560
email: pattis@wcadv.org



November 7, 2003

MEMO

Carol Roessler
STATE SENATOR

TO: Members of the Committee on Joint Finance

FROM: Patti Seger, Wisconsin Coalition Against Domestic Violence, Policy Development Coordinator, 608-255-0539 or email: pattis@wcadv.org

RE: Support for Assembly Bill 341

Assembly Bill 341 is scheduled for review by the Committee on Joint Finance on Monday, November 10, 2003. On behalf of the Wisconsin Coalition Against Domestic Violence (WCADV), a non-partisan, statewide membership program representing domestic violence programs and victims and their children, I urge you to support the language offered in this bill.

Currently, 58 non-profit agencies and 11 tribes receive funding from the Department of Health and Family Services (DHFS) to provide services to victims of domestic abuse and their children at over 100 program sites in Wisconsin. Domestic abuse services are offered in all 72 counties. In the past five years, domestic abuse programs have experienced a more than 30% increase in requests for services. Yet, there have been no significant increases in state funding to domestic abuse programs since 1997. Instead in 2003, for the first time, the state cut funding to domestic abuse programs by three percent in response to a larger state budget crisis.

Wisconsin domestic abuse programs provide direct services to well over 30,000 women, children and men each year, a number that has been steadily increasing. And while public and governmental support for services to families experiencing domestic violence has steadily increased, the current funding climate puts these critical services at high risk for reduction or elimination altogether. If the state decrease of 3% was the only funding cut that domestic abuse programs were facing, such a reduction could be absorbed by many programs. However, local domestic abuse programs are now facing funding cuts from many of their long-time funding sources despite the dramatic increases in the numbers of persons needing services. At this time, we are anticipating that local domestic violence programs will experience an overall loss of between 20-30% of their funding within the next year. Reductions in federal funding sources (Victim of Crime Act, Violence Against Women Act, Family Violence Prevention and Services Act, and Housing and Urban Development); as well as the 3% state reduction; the loss of \$750,000 in federal funds to the Refugee Family Strengthening Projects; and cuts from County/City government, United Way and dramatic decreases in charitable giving contribute to this funding crisis. The grid below illustrates the reductions that local domestic violence programs are experiencing. While the grid indicates the losses are "anticipated", WCADV is now being flooded with calls from local programs as they receive word of vastly reduced funding

WISCONSIN STATE SENATE



levels from local governmental and foundation funding sources. The losses that were once anticipated are now becoming a stark reality for many programs.

Carol Roessler
STATE SENATOR

Total Domestic Violence Program Operating Budgets¹	\$22,342,794
Actual or Anticipated Funding Loss by Source	Amount
Federal funds from VOCA, VAWA, FVPSA, and HUD ²	\$903,500
Wisconsin TANF funds to DHFS Domestic Abuse Program ³	\$250,000
Federal Office of Refugee Resettlement Grants to Refugee Family Strengthening Programs	\$750,000
Estimated cuts from local funding sources such as county and city governments, United Way, and charitable giving (representing 10-20% of total operating budgets) ⁴	\$2,234,279 - 4,468,558
Total Anticipated Losses	\$4,137,779 – 6,372,058

Assembly Bill 341 provides a practical solution, at least in part, to the funding crisis now facing local domestic abuse providers. The bill does two things: 1) it increases the domestic abuse assessment paid by domestic batterers upon conviction and 2) it calls attention to the fact that units of local government can utilize a portion of the marriage license fees collected by counties to fund domestic abuse services. The increase in the domestic abuse assessment, the first ever in nearly 15 years, puts at least part of the responsibility for the need to fund domestic abuse services squarely where it belongs: on the shoulders of batterers. The proposed change to marriage license fees merely provides a suggestion that funds can be used for domestic abuse services. This change does not increase marriage license fees nor does it mandate counties to use fees for the purpose of providing domestic abuse services. However, as many counties are now cutting funding to local domestic violence service providers, it will give those counties a place to look for potential replacement funding.

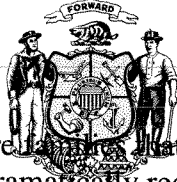
¹ Figure is based on cumulative 2002 budgets of domestic abuse programs in Wisconsin. The 2003 total may be more or less than this figure, therefore this amount should be considered an estimate.

² Please note: these calculations are based on approximations. Except where specifically noted, it is impossible to know exact amounts of reductions for several of these funds. Funds are not divided equitably among all states, however for purposes of approximate calculations each known reduction was divided equally among the 50 states. Wisconsin will lose \$623,000 VOCA Victim Assistance funds in 2003 allocations. Approximately 50% of Victim Assistance grants are awarded to domestic abuse programs equaling approximately \$311,500. FVPSA has been reduced by \$500,000 in FY 2004 divided by 50 states equals \$10,000. HUD is reduced by \$250 million for FY 2003. This number, divided by 50 states equals \$500,000. VAWA programs have been reduced by \$ 4.1 million, divided by 50 states equals \$82,000. Figures are for Federal FYs 2003 and 2004. Future reductions beyond this point are not yet known.

³ 2003 Act 33.

⁴ These losses are expressed as a range because at this time, it is difficult to estimate the long-term effects of the recession on charitable giving both to foundations that support local domestic abuse services and direct contributions to programs. Many programs have already been informed by local United Way agencies that they will suffer reductions ranging from 10-50%. Additionally, any reductions in Shared Revenues will be passed on to local domestic abuse programs by County and City funders. Some programs lost local funding in 2001-02 after the proposed cuts to the Shared Revenues program by Governor McCallum. Those programs that suffered reductions did not have funding reinstated despite the continuation of the Shared Revenues program.

WISCONSIN STATE SENATE



Those hurt most by lack of services are the children that need domestic abuse services. Sadly, the choice by many local funders to dramatically reduce, or eliminate domestic abuse funding altogether, will not ultimately yield savings. Those communities will likely see increases in requests for law enforcement assistance, increased health care costs and emergency room visits, employers will suffer lost productivity, and children from violent homes will be less likely to be successful in school. The societal cost of domestic violence is great. The presence of services to assist families in transitioning to services ultimately save more dollars than those services cost.

Carol Roessler
STATE SENATOR

WCADV hopes that the funding reductions do not lead to the elimination of domestic violence services in any Wisconsin communities. However, we do know that services will be changed by being so greatly reduced. AB 341 will provide an opportunity to replace some of those funding losses. Victims of domestic violence and their children count of services being there in their communities. WCADV is hopeful that you will look favorably upon AB 341 so that those families experiencing abuse receive the support they so critically need.

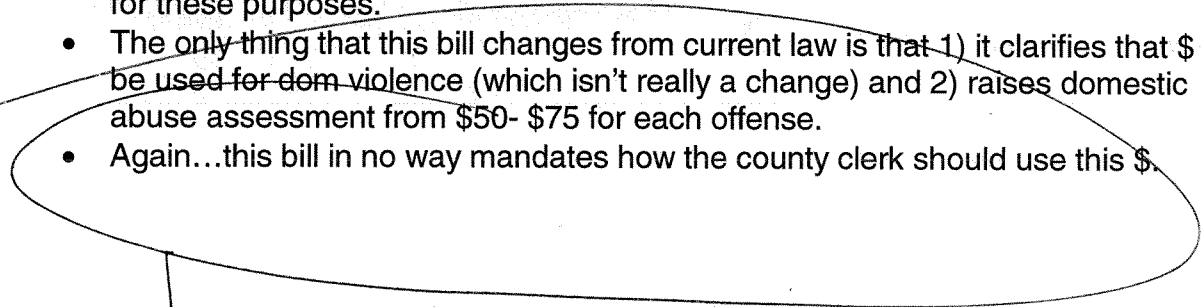
State Senator
Carol Roesler



Memorandum

TO: Carol
FROM: Sara
DATE: February 11, 2004
SUBJECT: AB 341

- You are the Senate Lead. Kreibich is Assembly Lead.
- AB 341 authorizes counties to use the marriage license fee for purposes related to domestic violence and increasing the assessment imposed on persons convicted of domestic abuse offenses.
- This bill does NOT require counties to use the \$4.50 of the \$24.50 obtained for domestic abuse education, etc purposes. It simply *clarifies* that that \$ can be used for these purposes.
- The only thing that this bill changes from current law is that 1) it clarifies that \$ can be used for dom violence (which isn't really a change) and 2) raises domestic abuse assessment from \$50- \$75 for each offense.
- Again...this bill in no way mandates how the county clerk should use this \$.



he had some
county clerks upset
about this bill → don't
want to be told what to do
Unfounded concerns!
It does not tell
them what to do

Seaquist, Sara

From: Patti Seger [pattis@wcadv.org]
Sent: Wednesday, March 10, 2004 9:54 AM
To: Seaquist, Sara
Subject: RE: Assembly Bill 341

sure. doing all i can to make sure it goes smoothly! as always, tell carol thanks on behalf of WCADV and all of our members. she has authored more bills that will help domestic abuse victims and the programs that serve them than any other legislator this year. that includes the bills that specifically address dv issues (ab 279, ab 341, ab 738) and bills like sb 512, sb 516, etc. she's the champ! also thanks to you! you've been such a pleasure to work with.
patti

-----Original Message-----

From: Seaquist, Sara [mailto:Sara.Seaquist@legis.state.wi.us]
Sent: Wednesday, March 10, 2004 9:42 AM
To: Patti Seger
Subject: RE: Assembly Bill 341

Thank you for this info, Patti!

Sara

-----Original Message-----

From: Patti Seger [mailto:pattis@wcadv.org]
Sent: Wednesday, March 10, 2004 9:35 AM
To: allsen@legis.state.wi.us
Subject: Assembly Bill 341

Dear Senators;

Assembly Bill 341 has been scheduled for action on today's Senate floor calendar. This bill is a critical piece of legislation for local domestic violence programs. It is supported by the WI Coalition Against Domestic Violence, the Governor's Council on Domestic Abuse, and local domestic abuse programs throughout WI.

During the past two years, local domestic abuse programs have lost unprecedented levels of funding. Federal sources have been cut (VOCA, VAWA, and FVPSA), Wisconsin reduced funding for domestic abuse programs by 3%, local funders (counties and cities) have passed on cuts in shared revenues to domestic abuse programs, and charitable giving is at an all time low causing many foundations, such as the United Way, to reduce funding levels for local programs.

This bill can help stabilize funding for domestic abuse programs in two ways:

1-It increases the domestic abuse penalty assessment, an assessment paid by CONVICTED domestic abuse offenders, by \$25. The domestic abuse penalty assessment has existed since 1989 and has never been raised in 15 years. The assessment collections are treated as program revenue by the state and are funneled directly back to local domestic abuse programs as a portion of the state's Domestic Abuse grant program administered by DHFS. It is anticipated that raising the assessment could generate an additional \$200,000 in revenues for domestic abuse services. Although this amount is not even equal to the 3% state funding cut experienced last budget, much less the rest of the funding losses, it will certainly be helpful in offsetting some of the losses suffered by these critical programs.

2-It opens the possibility for counties to utilize some of the funds they retain from marriage license fees to fund local domestic abuse services. It

does not raise marriage license fees nor does it require counties to use the funds for domestic abuse services. It merely creates the possibility. Local government will still decide how best to spend those dollars and if they believe funding domestic abuse services is a priority, they can use marriage license revenues to do so.

I have attached a memo that I prepared for Joint Finance on this issue. I hope it will provide any additional information that you find necessary in evaluating your decision to hopefully support this bill. This bill has passed the Assembly Committee on Children and Families unanimously, passed Joint Finance unanimously, passed the Assembly unanimously, and passed the Senate Committee on Health, Children, Families, Aging and Longterm Care unanimously. It is unopposed by any organization (please note: the Ethics Board website does note that Dean Medical and St. Mary's Hospital oppose this bill...we have been informed that was an erroneous entry by those organizations who believed they were registering against AB 314. Thus far the Ethics Board has not removed this error from the website however, Michael Heifetz, lobbyist for both organizations, assures us that Dean and St. Mary's have no opposition to AB 341).

Please feel free to contact me with questions if you have any. I can be reached at 608-255-0539 or 608-712-6643 (cell).

Sincerely,

Patti Seger
Policy Development Coordinator
WI Coalition Against Domestic Violence <<AB 341 Letter to Joint
Finance.doc>>