



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-10702  
RAC:jld:jm

3

RMR

DOA:.....Kirby, BB0354 – Pay Progression for ADAs, AAGs, and ASPDs

**FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION**

✓  
1

*do not gen*  
AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**STATE EMPLOYMENT**

This bill establishes a pay progression plan for assistant state public defenders and assistant attorneys general. Under the bill, the pay progression plan consists of 17 hourly salary steps, with each step equal to one-seventeenth of the difference between the lowest hourly salary and the highest hourly salary for the salary range for assistant state public defenders and assistant attorneys general contained in the compensation plan. The pay progression plan shall be based entirely on merit.

Under the bill, beginning with the first pay period that occurs on or after July 1, 2013, all assistant state public defenders and assistant attorneys general who have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months or more, and who are not paid the maximum hourly rate, must be paid an hourly salary at the step that is immediately above their hourly salary on June 30, 2013. All other assistant state public defenders and assistant attorneys general, who are not paid the maximum hourly rate, must be paid an hourly salary at the step that is immediately above their hourly salary on June 30, 2013, when they have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months.

In addition, under the bill, beginning with the first pay period that occurs on or after July 1, 2014, and with the first pay period that occurs on or after each

succeeding July 1, all assistant state public defenders and assistant attorneys general who have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months or more, and who are not paid the maximum hourly rate, may, at the discretion of the state public defender or the attorney general, whichever is appropriate, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30. All other assistant state public defenders and assistant attorneys general, who are not paid the maximum hourly rate, may, at the discretion of the state public defender, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30, when they have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months. The bill provides, however, that no salary increase for an assistant state public defender or and assistant attorney general may exceed 10 percent of his or her base pay during a fiscal year.

Finally, the bill specifies that assistant state public defenders and assistant attorneys general, as well as assistant district attorneys, may only receive the pay progression plan increases in any fiscal year if the increases exceed the amounts that would otherwise be provided them in the state compensation plan or any applicable collective bargaining agreement in that fiscal year.

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

*Insert  
2-1*

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

*1*

**SECTION 1.** 230.12 (10) (d) of the statutes is created to read:

230.12 (10) (d) This subsection shall not apply in any fiscal year during which an assistant district attorney, who is covered either under the compensation plan under this section or under a collective bargaining agreement under subch. V of ch. 111, is eligible to receive under the plan or agreement a salary increase that exceeds the increase required under this subsection.

**SECTION 2.** 230.12 (11) of the statutes is created to read:

230.12 (11) ASSISTANT STATE PUBLIC DEFENDER PAY PROGRESSION PLAN. (a) There is established a pay progression plan for assistant state public defenders. The pay progression plan shall consist of 17 hourly salary steps, with each step equal to one-seventeenth of the difference between the lowest hourly salary and the highest

11

1 hourly salary for the salary range for assistant state public defenders contained in  
2 the compensation plan. The pay progression plan shall be based entirely on merit.

3 (b) Beginning with the first pay period that occurs on or after July 1, 2013, all  
4 assistant state public defenders who have served with the state as assistant state  
5 public defenders for a continuous period of 12 months or more, and who are not paid  
6 the maximum hourly rate, shall be paid an hourly salary at the step that is  
7 immediately above their hourly salary on June 30, 2013. All other assistant state  
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9 salary at the step that is immediately above their hourly salary on June 30, 2013,  
10 when they have served with the state as assistant state public defenders for a  
11 continuous period of 12 months.

12 (c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
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5 increase required under this subsection.

6 **SECTION 3.** 230.12 (12) of the statutes is created to read:

7 **230.12 (12) ASSISTANT ATTORNEYS GENERAL PAY PROGRESSION PLAN.** (a) There is  
8 established a pay progression plan for assistant attorneys general. The pay  
9 progression plan shall consist of 17 hourly salary steps, with each step equal to  
10 one-seventeenth of the difference between the lowest hourly salary and the highest  
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12 compensation plan. The pay progression plan shall be based entirely on merit.

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13 increase required under this subsection.

14 (END)

2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1070/3ins  
RAC:jld:jm

2-1

SECTION 1. 20.550 (1) (em)<sup>x</sup> of the statutes is created to read:

20.550 (1) (em) *Salary adjustments*. The amounts in the schedule to fund the costs of the salary adjustments for assistant state public defenders under s. 230.12

(11).

→ note: bud

(end ins 2-1)

## Champagne, Rick

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**From:** Wavrunek, Leah J - DOA <Leah.Wavrunek@wisconsin.gov>  
**Sent:** Tuesday, February 05, 2013 9:57 AM  
**To:** Champagne, Rick  
**Subject:** RE: LRB-1070

We have moved away from the concept of whatever award is higher. We want the appointing authority to figure out pay progression before any GWA or collective bargaining is given out. Only those not receiving any pay progression would receive any GWA (probably retroactively) or adjustment under collective bargaining.

We can call to follow up if you have questions or want to discuss.

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**From:** Champagne, Rick [<mailto:Rick.Champagne@legis.wisconsin.gov>]  
**Sent:** Tuesday, February 05, 2013 7:19 AM  
**To:** Wavrunek, Leah J - DOA  
**Subject:** RE: LRB-1070

A thought: There are no pay adjustments until OSER determines the pot of money available to the group of employees under GWA and under pay progression plan. If the amount of the pot is higher under GWA, all employees get GWA; if the amount of the pot is higher under pay progression plan, then the moneys under the plan, however they are distributed, are all that is available for pay adjustments for employees in the group. Once this is decided, then all adjustments are retroactive to the pay period that begins after June 30.

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**From:** Wavrunek, Leah J - DOA [<mailto:Leah.Wavrunek@wisconsin.gov>]  
**Sent:** Tuesday, February 05, 2013 7:10 AM  
**To:** Champagne, Rick  
**Subject:** RE: LRB-1070

I think when Jenny gets we'll give you a call if that works for you. I agree, this is getting very complicated! Thanks.

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**From:** Champagne, Rick [<mailto:Rick.Champagne@legis.wisconsin.gov>]  
**Sent:** Tuesday, February 05, 2013 6:51 AM  
**To:** Wavrunek, Leah J - DOA  
**Subject:** RE: LRB-1070

Hi Leah:

Two questions:

1. Which increase do they receive? I assume the higher, right? As currently drafted, 1070 provides that they do not get pay progression if they are eligible to receive higher increase under other pay plan. How do the revised instructions change this? We still have the issue of when will an individual employee know which pay increase covers them? So, on the first pay period after June 30, after the pay progression plan has been set and submitted to OSER, what is the salary of the employee?
2. Pay progression plan increases can only take effect after they are set by appointing authority. So, I am a little unclear on second sentence. Is the intent not to give any salary increase at all until pay progression plan is submitted AND GWA has been set, under comp plan or collective bargaining agreements, and each employee is given a proposed raise under each, and then the employee gets to choose which or gets the higher.

I guess in the end it seems like the intent is to guarantee any GWA as a base. Is this so? How do we deal with the issue of "eligible" to receive an increase? Potentially, each employee is eligible to receive a 10% increase under pay progression. This will always be higher than GWA (realistically speaking).

One additional issue: is the choice of GWA or pay progression one that applies to the entire group of employees or an individual employee? What if the group does better under pay progression, but individual employees do not get anything under pay progression. Conversely, what if GAW would make most employees in the group better off but not certain individual employees who might get up to 10% pay raises?

This is beginning to get really over-complicated. Perhaps the way to resolve this is to guarantee GWA for everyone and have the GWA count against pay progression.

Let's talk in a while.

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**From:** Wavrunek, Leah J - DOA [<mailto:Leah.Wavrunek@wisconsin.gov>]  
**Sent:** Monday, February 04, 2013 4:43 PM  
**To:** Champagne, Rick  
**Subject:** LRB-1070

Hi Rick,

We have more direction on the pay progression draft. An attorney (ADA, ASPD, AAG) may only receive an increase under pay progression or other salary adjustment, and cannot receive both. Further, any other salary adjustment cannot be made until pay progression amounts are set by the appointing authority and submitted to OSER. Essentially, we don't want them waiting on pay progression to see how much they could get under a GWA or some other increase.

I hope this makes sense, please let me know if any questions.

Thanks,  
Leah Wavrunek

Leah Wavrunek  
State Budget Office  
(608) 266-2081  
[leah.wavrunek@wi.gov](mailto:leah.wavrunek@wi.gov)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1070/3  
RAC:jld:rs

4  
RMR

DOA:.....Kirby, BB0354 - Pay Progression for ADAs, AAGs, and ASPDs

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**

X  
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*Analysis by the Legislative Reference Bureau*

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**STATE EMPLOYMENT**

This bill establishes a pay progression plan for assistant state public defenders and assistant attorneys general. Under the bill, the pay progression plan consists of 17 hourly salary steps, with each step equal to one-seventeenth of the difference between the lowest hourly salary and the highest hourly salary for the salary range for assistant state public defenders and assistant attorneys general contained in the compensation plan. The pay progression plan shall be based entirely on merit.

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Finally, the bill specifies that assistant state public defenders and assistant attorneys general, as well as assistant district attorneys, may only receive the pay progression plan increases in any fiscal year if the increases exceed the amounts that would otherwise be provided them in the state compensation plan or any applicable collective bargaining agreement in that fiscal year.

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

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

1 SECTION 1. 20.550 (1) (em) of the statutes is created to read:

2 20.550 (1) (em) *Salary adjustments.* The amounts in the schedule to fund the  
3 costs of the salary adjustments for assistant state public defenders under s. 230.12  
4 (11).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 2. 230.12 (10) (d) of the statutes is created to read:

6 230.12 (10) (d) This subsection shall not apply in any fiscal year during which  
7 an assistant district attorney, who is covered either under the compensation plan  
8 under this section or under a collective bargaining agreement under subch. V of ch.  
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✓  
Trent Anderson

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Trent 270

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7 the compensation plan. The pay progression plan shall be based entirely on merit.

8           (b) Beginning with the first pay period that occurs on or after July 1, 2013, all  
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17           (c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
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 8 eligible to receive under the plan or agreement a salary increase that exceeds the  
 9 increase required under this subsection.

10 SECTION 4. 230.12 (12) of the statutes is created to read:

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 15 hourly salary for the salary range for assistant attorneys general contained in the  
 16 compensation plan. The pay progression plan shall be based entirely on merit.

17 (b) Beginning with the first pay period that occurs on or after July 1, 2013, all  
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 25 months.

Handwritten notes: "MARK 4-10" written vertically on the left margin.

1 (c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
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 16 ~~eligible to receive under the plan or agreement a salary increase that exceeds the~~  
 17 ~~increase required under this subsection.~~

(END)

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step

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2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1070/4ins  
RAC:jld:rs

**Insert Analysis:**

Finally, the bill specifies that if an assistant state public defender or assistant attorney general, as well as any assistant district attorney, does not receive a pay progression plan increase in any fiscal year, the individual may receive a general wage adjustment pursuant to the state compensation plan or applicable collective bargaining agreement in that fiscal year.

**Insert 2-10:**

SECTION 1. 230.12 (10) (d) of the statutes is created to read:

230.12 (10) (d) If an assistant district attorney does not receive a salary increase under a pay progression plan established under this subsection in any fiscal year, the assistant district attorney may receive a general wage adjustment in that fiscal year pursuant to the compensation plan under this section or to a collective bargaining agreement under subch. V of ch. 111, whichever is applicable.

**Insert 4-10:**

(d) If an assistant state public defender does not receive a salary increase under a pay progression plan established under this subsection in any fiscal year, the assistant state public defender may receive a general wage adjustment in that fiscal year pursuant to the compensation plan under this section or to a collective bargaining agreement under subch. V of ch. 111, whichever is applicable.

**Insert 5-18:**

(d) If an assistant attorney general does not receive a salary increase under a pay progression plan established under this subsection in any fiscal year, the assistant attorney general may receive a general wage adjustment in that fiscal year pursuant to the compensation plan under this section or to a collective bargaining agreement under subch. V of ch. 111, whichever is applicable.

(end ins)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1070/4 ✓  
RAC:jld:rs

RMP

DOA:.....Kirby, BB0354 – Pay Progression for ADAs, AAGs, and ASPDs

**FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION**

pwf

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

TAXT 2-5 ✓

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 23 that is immediately above their hourly salary on June 30, 2013, when they have  
 24 served with the state as assistant attorneys general for a continuous period of 12  
 25 months.

Handwritten notes: "5-6 + 1184" and "4-5" written vertically in a circle on the left margin, with an arrow pointing from the circle to the circled number 5 in the text.

1 (c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
 2 with the first pay period that occurs on or after each succeeding July 1, all assistant  
 3 attorneys general who have served with the state as assistant attorneys general for  
 4 a continuous period of 12 months or more, and who are not paid the maximum hourly  
 5 rate, may, at the discretion of the attorney general, be paid an hourly salary at any  
 6 step, or part thereof, above their hourly salary on the immediately preceding June  
 7 30. All other assistant attorneys general, who are not paid the maximum hourly rate,  
 8 may, at the discretion of the attorney general, be paid an hourly salary at any step,  
 9 or part thereof, above their hourly salary on the immediately preceding June 30,  
 10 when they have served with the state as assistant attorneys general for a continuous  
 11 period of 12 months. No salary adjustment for an assistant attorney general under  
 12 this paragraph may exceed 10 percent of his or her base pay during a fiscal year.

13 <sup>(1)</sup> If an assistant attorney general does not receive a salary increase under a  
 14 pay progression plan established under this subsection in any fiscal year, the  
 15 assistant attorney general may receive a general wage adjustment in that fiscal year  
 16 pursuant to the compensation plan under this section or to a collective bargaining  
 17 agreement under subch. V of ch. 111, whichever is applicable.

(END)

✓  
 E1-5 + 8M  
 TM

2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1070/5ins  
RAC:jld:rs

**Insert 2-5:**

**SECTION 1.** 230.12 (10) (d) <sup>✓</sup> of the statutes is created to read:

230.12 (10) (d) The appointing authority of the assistant district attorneys shall submit the proposed salary adjustment for each assistant district attorney for the succeeding fiscal year to the director before May 1. <sup>✓</sup>

**Insert 4-5**

(d) The appointing authority of the assistant state public defenders <sup>✓</sup> shall submit the proposed salary adjustment for each assistant state public defender <sup>✓</sup> for the succeeding fiscal year to the director before May 1. <sup>✓</sup>

**Insert 5-13:**

(d) The appointing authority of the assistant attorneys <sup>✓</sup> general shall submit the proposed salary adjustment for each assistant attorney general for the succeeding fiscal year to the director before May 1. <sup>✓</sup>



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1070/5  
RAC:jld:ph

6

RMR

DOA:.....Kirby, BB0354 – Pay Progression for ADAs, AAGs, and ASPDs

**FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION**

✓

do not gen

1

AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**STATE EMPLOYMENT**

This bill establishes a pay progression plan for assistant state public defenders and assistant attorneys general. Under the bill, the pay progression plan consists of 17 hourly salary steps, with each step equal to one-seventeenth of the difference between the lowest hourly salary and the highest hourly salary for the salary range for assistant state public defenders and assistant attorneys general contained in the compensation plan. The pay progression plan shall be based entirely on merit.

Under the bill, beginning with the first pay period that occurs on or after July 1, 2013, all assistant state public defenders and assistant attorneys general who have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months or more, and who are not paid the maximum hourly rate, must be paid an hourly salary at the step that is immediately above their hourly salary on June 30, 2013. All other assistant state public defenders and assistant attorneys general, who are not paid the maximum hourly rate, must be paid an hourly salary at the step that is immediately above their hourly salary on June 30, 2013, when they have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months.

In addition, under the bill, beginning with the first pay period that occurs on or after July 1, 2014, and with the first pay period that occurs on or after each

succeeding July 1, all assistant state public defenders and assistant attorneys general who have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months or more, and who are not paid the maximum hourly rate, may, at the discretion of the state public defender or the attorney general, whichever is appropriate, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30. All other assistant state public defenders and assistant attorneys general, who are not paid the maximum hourly rate, may, at the discretion of the state public defender, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30, when they have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months. The bill provides, however, that no salary increase for an assistant state public defender or and assistant attorney general may exceed 10 percent of his or her base pay during a fiscal year.

Finally, the bill specifies that, if an assistant state public defender or assistant attorney general, as well as any assistant district attorney, ~~does not~~ receive a pay progression plan increase in any fiscal year, the individual may receive a general wage adjustment pursuant to the state compensation plan or applicable collective bargaining agreement in that fiscal year. (S) (not)

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

---

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

1           **SECTION 1.** 20.550 (1) (em) of the statutes is created to read:  
2           20.550 (1) (em) *Salary adjustments.* The amounts in the schedule to fund the  
3 costs of the salary adjustments for assistant state public defenders under s. 230.12  
4 (11).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 2.** 230.12 (10) (d) of the statutes is created to read:  
6           230.12 (10) (d) The appointing authority of the assistant district attorneys  
7 shall submit the proposed salary adjustment for each assistant district attorney for  
8 the succeeding fiscal year to the director before May 1.

9           **SECTION 3.** 230.12 (10) (e) of the statutes is created to read:

1

230.12 (10) (e) If an assistant district attorney ~~does not~~ receive a salary  
increase under a pay progression plan established under this subsection in any fiscal

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year, the assistant district attorney <sup>✓</sup> may <sup>NOT</sup> receive a general wage adjustment in that  
fiscal year pursuant to the compensation plan under this section or to a collective  
bargaining agreement under subch. V of ch. 111, whichever is applicable.

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SECTION 4. 230.12 (11) of the statutes is created to read:

7

230.12 (11) ASSISTANT STATE PUBLIC DEFENDER PAY PROGRESSION PLAN. (a) There  
is established a pay progression plan for assistant state public defenders. The pay  
progression plan shall consist of 17 hourly salary steps, with each step equal to  
one-seventeenth of the difference between the lowest hourly salary and the highest  
hourly salary for the salary range for assistant state public defenders contained in  
the compensation plan. The pay progression plan shall be based entirely on merit.

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(b) Beginning with the first pay period that occurs on or after July 1, 2013, all  
assistant state public defenders who have served with the state as assistant state  
public defenders for a continuous period of 12 months or more, and who are not paid  
the maximum hourly rate, shall be paid an hourly salary at the step that is  
immediately above their hourly salary on June 30, 2013. All other assistant state  
public defenders, who are not paid the maximum hourly rate, shall be paid an hourly  
salary at the step that is immediately above their hourly salary on June 30, 2013,  
when they have served with the state as assistant state public defenders for a  
continuous period of 12 months.

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(c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
with the first pay period that occurs on or after each succeeding July 1, all assistant  
state public defenders who have served with the state as assistant state public  
defenders for a continuous period of 12 months or more, and who are not paid the

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1 maximum hourly rate, may, at the discretion of the state public defender, be paid an  
2 hourly salary at any step, or part thereof, above their hourly salary on the  
3 immediately preceding June 30. All other assistant state public defenders, who are  
4 not paid the maximum hourly rate, may, at the discretion of the state public defender,  
5 be paid an hourly salary at any step, or part thereof, above their hourly salary on the  
6 immediately preceding June 30, when they have served with the state as assistant  
7 state public defenders for a continuous period of 12 months. No salary adjustment  
8 for an assistant state public defender under this paragraph may exceed 10 percent  
9 of his or her base pay during a fiscal year.

10 (d) The appointing authority of the assistant state public defenders shall  
11 submit the proposed salary adjustment for each assistant state public defender for  
12 the succeeding fiscal year to the director before May 1.

13 (e) If an assistant state public defender ~~does not~~ receive a salary increase under  
14 a pay progression plan established under this subsection in any fiscal year, the  
15 assistant state public defender <sup>✓</sup> may <sup>not</sup> receive a general wage adjustment in that fiscal  
16 year pursuant to the compensation plan under this section or to a collective  
17 bargaining agreement under subch. V of ch. 111, whichever is applicable.

18 **SECTION 5.** 230.12 (12) of the statutes is created to read:

19 230.12 (12) ASSISTANT ATTORNEYS GENERAL PAY PROGRESSION PLAN. (a) There is  
20 established a pay progression plan for assistant attorneys general. The pay  
21 progression plan shall consist of 17 hourly salary steps, with each step equal to  
22 one-seventeenth of the difference between the lowest hourly salary and the highest  
23 hourly salary for the salary range for assistant attorneys general contained in the  
24 compensation plan. The pay progression plan shall be based entirely on merit.

1 (b) Beginning with the first pay period that occurs on or after July 1, 2013, all  
2 assistant attorneys general who have served with the state as assistant attorneys  
3 general for a continuous period of 12 months or more, and who are not paid the  
4 maximum hourly rate, shall be paid an hourly salary at the step that is immediately  
5 above their hourly salary on June 30, 2013. All other assistant attorneys general,  
6 who are not paid the maximum hourly rate, shall be paid an hourly salary at the step  
7 that is immediately above their hourly salary on June 30, 2013, when they have  
8 served with the state as assistant attorneys general for a continuous period of 12  
9 months.

10 (c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
11 with the first pay period that occurs on or after each succeeding July 1, all assistant  
12 attorneys general who have served with the state as assistant attorneys general for  
13 a continuous period of 12 months or more, and who are not paid the maximum hourly  
14 rate, may, at the discretion of the attorney general, be paid an hourly salary at any  
15 step, or part thereof, above their hourly salary on the immediately preceding June  
16 30. All other assistant attorneys general, who are not paid the maximum hourly rate,  
17 may, at the discretion of the attorney general, be paid an hourly salary at any step,  
18 or part thereof, above their hourly salary on the immediately preceding June 30,  
19 when they have served with the state as assistant attorneys general for a continuous  
20 period of 12 months. No salary adjustment for an assistant attorney general under  
21 this paragraph may exceed 10 percent of his or her base pay during a fiscal year.

22 (d) The appointing authority of the assistant attorneys general shall submit the  
23 proposed salary adjustment for each assistant attorney general for the succeeding  
24 fiscal year to the director before May 1.

1 (e) If an assistant attorney general ~~does not~~ <sup>may</sup> receive a salary increase under a  
2 pay progression plan established under this subsection in any fiscal year, the  
3 assistant attorney general <sup>✓</sup> ~~may~~ <sup>not</sup> receive a general wage adjustment in that fiscal year  
4 pursuant to the compensation plan under this section or to a collective bargaining  
5 agreement under subch. V of ch. 111, whichever is applicable.

6 (END)

Per Leah

Take out 230.12 (10) (doe), (11) (doe)  
+ (12) (doe)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1070/6 7  
RAC:jld:rs

RMR

DOA:.....Kirby, BB0354 – Pay Progression for ADAs, AAGs, and ASPDs

**FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION**

per ✓

X

do not gen

1

**AN ACT ...; relating to:** the budget.

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**STATE EMPLOYMENT**

This bill establishes a pay progression plan for assistant state public defenders and assistant attorneys general. Under the bill, the pay progression plan consists of 17 hourly salary steps, with each step equal to one-seventeenth of the difference between the lowest hourly salary and the highest hourly salary for the salary range for assistant state public defenders and assistant attorneys general contained in the compensation plan. The pay progression plan shall be based entirely on merit.

Under the bill, beginning with the first pay period that occurs on or after July 1, 2013, all assistant state public defenders and assistant attorneys general who have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months or more, and who are not paid the maximum hourly rate, must be paid an hourly salary at the step that is immediately above their hourly salary on June 30, 2013. All other assistant state public defenders and assistant attorneys general, who are not paid the maximum hourly rate, must be paid an hourly salary at the step that is immediately above their hourly salary on June 30, 2013, when they have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months.

In addition, under the bill, beginning with the first pay period that occurs on or after July 1, 2014, and with the first pay period that occurs on or after each

succeeding July 1, all assistant state public defenders and assistant attorneys general who have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months or more, and who are not paid the maximum hourly rate, may, at the discretion of the state public defender or the attorney general, whichever is appropriate, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30. All other assistant state public defenders and assistant attorneys general, who are not paid the maximum hourly rate, may, at the discretion of the state public defender, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30, when they have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months. The bill provides, however, that no salary increase for an assistant state public defender or and assistant attorney general may exceed 10 percent of his or her base pay during a fiscal year.

Finally, the bill specifies that, if an assistant state public defender or assistant attorney general, as well as any assistant district attorney, receives a pay progression plan increase in any fiscal year, the individual may not receive a general wage adjustment pursuant to the state compensation plan or applicable collective bargaining agreement in that fiscal year.

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

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

1 SECTION 1. 20.550 (1) (em) of the statutes is created to read:

2 20.550 (1) (em) *Salary adjustments.* The amounts in the schedule to fund the  
3 costs of the salary adjustments for assistant state public defenders under s. 230.12  
4 (11). ✓

✓  
\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. JA

5 SECTION 2. 230.12 (10) (d) of the statutes is created to read:

6 ~~230.12 (10) (d) The appointing authority of the assistant district attorneys~~  
7 ~~shall submit the proposed salary adjustment for each assistant district attorney for~~  
8 ~~the succeeding fiscal year to the director before May 1.~~

9 ~~SECTION 3. 230.12 (10) (e) of the statutes is created to read:~~

1           230.12 (10) (e) If an assistant district attorney receives a salary increase under  
2 a pay progression plan established under this subsection in any fiscal year, the  
3 assistant district attorney may not receive a general wage adjustment in that fiscal  
4 year pursuant to the compensation plan under this section or to a collective  
5 bargaining agreement under subch. V of ch. 111, whichever is applicable.

6           **SECTION 4.** 230.12 (11) of the statutes is created to read:

7           230.12 (11) ASSISTANT STATE PUBLIC DEFENDER PAY PROGRESSION PLAN. (a) There  
8 is established a pay progression plan for assistant state public defenders. The pay  
9 progression plan shall consist of 17 hourly salary steps, with each step equal to  
10 one-seventeenth of the difference between the lowest hourly salary and the highest  
11 hourly salary for the salary range for assistant state public defenders contained in  
12 the compensation plan. The pay progression plan shall be based entirely on merit.

13           (b) Beginning with the first pay period that occurs on or after July 1, 2013, all  
14 assistant state public defenders who have served with the state as assistant state  
15 public defenders for a continuous period of 12 months or more, and who are not paid  
16 the maximum hourly rate, shall be paid an hourly salary at the step that is  
17 immediately above their hourly salary on June 30, 2013. All other assistant state  
18 public defenders, who are not paid the maximum hourly rate, shall be paid an hourly  
19 salary at the step that is immediately above their hourly salary on June 30, 2013,  
20 when they have served with the state as assistant state public defenders for a  
21 continuous period of 12 months.

22           (c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
23 with the first pay period that occurs on or after each succeeding July 1, all assistant  
24 state public defenders who have served with the state as assistant state public  
25 defenders for a continuous period of 12 months or more, and who are not paid the

1 maximum hourly rate, may, at the discretion of the state public defender, be paid an  
2 hourly salary at any step, or part thereof, above their hourly salary on the  
3 immediately preceding June 30. All other assistant state public defenders, who are  
4 not paid the maximum hourly rate, may, at the discretion of the state public defender,  
5 be paid an hourly salary at any step, or part thereof, above their hourly salary on the  
6 immediately preceding June 30, when they have served with the state as assistant  
7 state public defenders for a continuous period of 12 months. No salary adjustment  
8 for an assistant state public defender under this paragraph may exceed 10 percent  
9 of his or her base pay during a fiscal year.

10 (d) The appointing authority of the assistant state public defenders shall  
11 submit the proposed salary adjustment for each assistant state public defender for  
12 the succeeding fiscal year to the director before May 1.

13 (e) If an assistant state public defender receives a salary increase under a pay  
14 progression plan established under this subsection in any fiscal year, the assistant  
15 state public defender may not receive a general wage adjustment in that fiscal year  
16 pursuant to the compensation plan under this section or to a collective bargaining  
17 agreement under subch. V of ch. 111, whichever is applicable.

18 **SECTION 5.** 230.12 (12) of the statutes is created to read:

19 **230.12 (12) ASSISTANT ATTORNEYS GENERAL PAY PROGRESSION PLAN.** (a) There is  
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24 compensation plan. The pay progression plan shall be based entirely on merit.

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15 step, or part thereof, above their hourly salary on the immediately preceding June  
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17 may, at the discretion of the attorney general, be paid an hourly salary at any step,  
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4 pursuant to the compensation plan under this section or to a collective bargaining  
5 agreement under subch. V of ch. 111, whichever is applicable.

6 (END)



DOA:.....Kirby, BB0354 – Pay Progression for ADAs, AAGs, and ASPDs

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**STATE EMPLOYMENT**

This bill establishes a pay progression plan for assistant state public defenders and assistant attorneys general. Under the bill, the pay progression plan consists of 17 hourly salary steps, with each step equal to one-seventeenth of the difference between the lowest hourly salary and the highest hourly salary for the salary range for assistant state public defenders and assistant attorneys general contained in the compensation plan. The pay progression plan shall be based entirely on merit.

Under the bill, beginning with the first pay period that occurs on or after July 1, 2013, all assistant state public defenders and assistant attorneys general who have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months or more, and who are not paid the maximum hourly rate, must be paid an hourly salary at the step that is immediately above their hourly salary on June 30, 2013. All other assistant state public defenders and assistant attorneys general, who are not paid the maximum hourly rate, must be paid an hourly salary at the step that is immediately above their hourly salary on June 30, 2013, when they have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months.

In addition, under the bill, beginning with the first pay period that occurs on or after July 1, 2014, and with the first pay period that occurs on or after each

succeeding July 1, all assistant state public defenders and assistant attorneys general who have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months or more, and who are not paid the maximum hourly rate, may, at the discretion of the state public defender or the attorney general, whichever is appropriate, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30. All other assistant state public defenders and assistant attorneys general, who are not paid the maximum hourly rate, may, at the discretion of the state public defender, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30, when they have served with the state as assistant state public defenders or assistant attorneys general for a continuous period of 12 months. The bill provides, however, that no salary increase for an assistant state public defender or and assistant attorney general may exceed 10 percent of his or her base pay during a fiscal year.

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

---

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

1           **SECTION 1.** 20.550 (1) (em) of the statutes is created to read:

2           20.550 (1) (em) *Salary adjustments.* The amounts in the schedule to fund the  
3 costs of the salary adjustments for assistant state public defenders under s. 230.12  
4 (11).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 2.** 230.12 (11) of the statutes is created to read:

6           230.12 (11) ASSISTANT STATE PUBLIC DEFENDER PAY PROGRESSION PLAN. (a) There  
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1           (b) Beginning with the first pay period that occurs on or after July 1, 2013, all  
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3 public defenders for a continuous period of 12 months or more, and who are not paid  
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7 salary at the step that is immediately above their hourly salary on June 30, 2013,  
8 when they have served with the state as assistant state public defenders for a  
9 continuous period of 12 months.

10           (c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
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12 state public defenders who have served with the state as assistant state public  
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17 not paid the maximum hourly rate, may, at the discretion of the state public defender,  
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19 immediately preceding June 30, when they have served with the state as assistant  
20 state public defenders for a continuous period of 12 months. No salary adjustment  
21 for an assistant state public defender under this paragraph may exceed 10 percent  
22 of his or her base pay during a fiscal year.

23           **SECTION 3.** 230.12 (12) of the statutes is created to read:

24           **230.12 (12) ASSISTANT ATTORNEYS GENERAL PAY PROGRESSION PLAN.** (a) There is  
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12 served with the state as assistant attorneys general for a continuous period of 12  
13 months.

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23 when they have served with the state as assistant attorneys general for a continuous

1 period of 12 months. No salary adjustment for an assistant attorney general under  
2 this paragraph may exceed 10 percent of his or her base pay during a fiscal year.

3 (END)