



2011 SENATE BILL 394

January 20, 2012 - Introduced by Senators OLSEN, TAYLOR, T. CULLEN, ERPENBACH, HARSDORF, HANSEN, KING, LASSA and WANGGAARD, cosponsored by Representatives LITJENS, KLEEFISCH, RICHARDS, BERNARD SCHABER, BIES, BROOKS, DANOU, KAUFERT, KRUG, LEMAHIEU, LOUDENBECK, A. OTT, J. OTT, POCAN, ROYS, SPANBAUER, STASKUNAS and STEINEKE. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

- 1 **AN ACT** *to amend* 978.12 (1) (c); and *to create* 230.12 (10) of the statutes;
- 2 **relating to:** establishing an assistant district attorney pay progression plan.

Analysis by the Legislative Reference Bureau

This bill establishes a pay progression plan for assistant district attorneys, which was required under 2011 Wisconsin Act 32. 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 district attorneys contained in the compensation plan. The first step equals the lowest hourly salary rate for the salary range and the last step equals the highest hourly salary rate for the salary range. The pay progression plan shall be based entirely on merit.

Under the bill, on July 1, 2013, all assistant district attorneys who have served with the state as assistant district attorneys 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 district attorneys, 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 district attorneys for a continuous period of 12 months.

In addition, under the bill, on July 1, 2014, and on each July 1 thereafter, all assistant district attorneys who have served with the state as assistant district attorneys for a continuous period of 12 months or more, and who are not paid the maximum hourly rate, may, at the discretion of their supervising district attorney,

SENATE BILL 394

be paid an hourly salary at any step above their hourly salary on the immediately preceding June 30. All other assistant district attorneys, who are not paid the maximum hourly rate, may, at the discretion of their supervising district attorney, be paid an hourly salary at any step above their hourly salary on the immediately preceding June 30, when they have served with the state as assistant district attorneys for a continuous period of 12 months.

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

2 **230.12 (10) ASSISTANT DISTRICT ATTORNEY PAY PROGRESSION PLAN.** (a) There is
3 established a pay progression plan for assistant district attorneys. The pay
4 progression plan shall consist of 17 hourly salary steps, with each step equal to
5 one-seventeenth of the difference between the lowest hourly salary and the highest
6 hourly salary for the salary range for assistant district attorneys contained in the
7 compensation plan. The first step shall equal the lowest hourly salary rate for the
8 salary range and the last step shall equal the highest hourly salary rate for the salary
9 range. The pay progression plan shall be based entirely on merit.

10 (b) On July 1, 2013, all assistant district attorneys who have served with the
11 state as assistant district attorneys for a continuous period of 12 months or more, and
12 who are not paid the maximum hourly rate, shall be paid an hourly salary at the step
13 that is immediately above their hourly salary on June 30, 2013. All other assistant
14 district attorneys, who are not paid the maximum hourly rate, shall be paid an hourly
15 salary at the step that is immediately above their hourly salary on June 30, 2013,
16 when they have served with the state as assistant district attorneys for a continuous
17 period of 12 months.

SENATE BILL 394

1 (c) On July 1, 2014, and on each July 1 thereafter, all assistant district
2 attorneys who have served with the state as assistant district attorneys for a
3 continuous period of 12 months or more, and who are not paid the maximum hourly
4 rate, may, at the discretion of their supervising district attorney, be paid an hourly
5 salary at any step above their hourly salary on the immediately preceding June 30.
6 All other assistant district attorneys, who are not paid the maximum hourly rate,
7 may, at the discretion of their supervising district attorney, be paid an hourly salary
8 at any step above their hourly salary on the immediately preceding June 30, when
9 they have served with the state as assistant district attorneys for a continuous period
10 of 12 months.

11 **SECTION 2.** 978.12 (1) (c) of the statutes, as affected by 2011 Wisconsin Act 10,
12 is amended to read:

13 978.12 (1) (c) *Assistant district attorneys.* Assistant district attorneys shall be
14 employed outside the classified service. For purposes of salary administration, the
15 director of the office of state employment relations shall establish one or more
16 classifications for assistant district attorneys in accordance with the classification
17 or classifications allocated to assistant attorneys general. Except as provided in s.
18 ss. 111.93 (3) (b) and 230.12 (10), the salaries of assistant district attorneys shall be
19 established and adjusted in accordance with the state compensation plan for
20 assistant attorneys general whose positions are allocated to the classification or
21 classifications established by the director of the office of state employment relations.

22 **(END)**