

1999 DRAFTING REQUEST

Senate Amendment (SA-SSA1-AB465)

Received: 11/08/1999

Received By: olsenje

Wanted: Today

Identical to LRB:

For: Gary George (608) 266-2500

By/Representing: Dan

This file may be shown to any legislator: NO

Drafter: olsenje

May Contact:

Alt. Drafters:

Subject: Criminal Law - district attys

Extra Copies: MGD

Pre Topic:

No specific pre topic given

Topic:

District attorney positions

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	olsenje 11/08/1999	ygeller 11/08/1999	martykr 11/08/1999	_____	lrb_docadmin 11/08/1999	lrb_docadmin 11/08/1999	

FE Sent For:

<END>

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/1	olsenje	12/1/8 jcg	Km/11/8	11/17/11 Km/11/8			

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<END>

SA to ~~SSA~~ to AP465

00983

Reframe AAT
positions rebased
out of budget

DISTRICT ATTORNEYS

7. Additional Prosecutor Positions

Sections 172 [as it relates to s. 20.475 (1) (d)] and 9101 (3d)

These provisions authorize GPR expenditures of \$631,800 in fiscal year 1999-2000 and \$841,800 in fiscal year 2000-2001 to fund an additional 17.40 FTE assistant district attorney (ADA) positions annually in Adams, Chippewa, Dane, Jefferson, Kenosha, La Crosse, Manitowoc, Marathon, Milwaukee, Outagamie, Oneida, Portage, Rock, Sauk, Sheboygan and Winnebago Counties and bring the Forest County elected district attorney (DA) to full-time. Section 9101 (3d) specifically increases position authority in La Crosse County by 0.50 FTE and Sauk County by 1.0 FTE by decreasing position authority in Milwaukee County by 1.25 FTE and Columbia County by 0.50 FTE.

I am vetoing these provisions because we cannot afford these additional positions when we have serious fiscal pressures facing us in the next biennium. Furthermore, the budget addresses various personnel needs of Wisconsin's DA offices through 6.0 FTE additional prosecutors for gun violations, the conversion of several critical positions to permanent status and increased funding to further automate DA offices. In addition, the transfer of position authority between county district attorney offices represents an unnecessary burden on those offices that would be reduced.

By lining out the s. 20.475 (1) (d) appropriation and writing in a smaller amount that deletes \$631,800 GPR in fiscal year 1999-2000 and \$823,500 GPR in fiscal year 2000-2001, I am vetoing the part of the bill that funds the additional ADA positions that were provided by these amendments. I am also requesting the Department of Administration secretary not to allot these funds.

It is my intent to provide 0.40 FTE position authority to increase the elected DA of Forest County to full-time. Therefore, the s. 20.475 (1) (d) appropriation amount includes \$18,300 GPR in fiscal year 2000-2001 to enable this increase effective on January 1, 2001, with the calendar year 2000 general election. It should be noted that 53 assistant district attorney positions have been added since the state began funding these positions in 1989, which is a 16% increase.

8. Bureau of Justice Information Systems

Section 115

This provision directs the Department of Administration's Bureau of Justice Information Systems (BJIS) to use the Legislative Audit Bureau's weighted district attorney caseload methodology to determine the priority ranking for implementing computer automation and technical assistance to county district attorney offices.

I am vetoing this provision in part because BJIS needs flexibility to effectively manage the implementation of its computer automation systems. Other factors such as

7. INFORMATION TECHNOLOGY [LFB Paper 190]

Governor: Provide funding under the Department of Administration's Bureau of Justice Information Systems (BJIS) for district attorney information technology in all 71 district attorney offices. Since 1996-97, BJIS has provided DA offices with personal computers and related hardware, software applications and user training. Funding was also provided under 1997 Act 27 (the 1997-99 budget act) for: (a) DA access to the TIME system, WisLaw and Lexis; (b) installation of local area networks (LANs) in some counties; and (c) the initial development of a District Attorney case management system. The Governor's recommendation would: (a) complete county LANs for all remaining DA offices and provide connections between DA LANs; (b) complete the case management system development; and (c) provide funding for installation and equipment costs and ongoing support and maintenance.

Joint Finance: Extend the LAN implementation schedule for county DA offices by one year, so that all DA offices will have LANs installed by the end of 2001-02. Further, provide nine staff support positions in 1999-00 and 12 in 2000-01, and reduce contract funding for staff support. Finally, reduce funding to reflect lower operating costs. See "Administration -- Bureau of Justice Information Systems."

8. ADDITIONAL PROSECUTORS [LFB Paper 378]

	Funding Positions	
GPR	\$1,221,000	14.50

Joint Finance: Provide \$523,500 in 1999-00 and \$697,500 in 2000-01 and 14.50 positions annually. The following counties would receive additional prosecutor positions: Adams (0.25), Chippewa (0.25), Columbia (0.5), Dane (0.5), Forest (0.25), Jefferson (0.25), Manitowoc (1.0), Marathon (1.0), Milwaukee (7.0), Oneida (0.5), Outagamie (0.5), Rock (0.75), Sheboygan (0.5), and Winnebago (1.25). All the positions are assistant district attorney positions, except for Forest County, whose part-time district attorney position would increase from 0.60 to 0.85. In addition, require the Department of Administration to transfer position authority from a county which, according to the weighted prosecutor caseload measurement formula, has a prosecutor workload of less than 100% of the standard full-time workload to a county with a prosecutor workload of more than 100% of the standard full-time workload, if: (a) a vacancy in an assistant district attorney position occurs in a county with a prosecutor workload of less than 100%; (b) following the transfer, the county losing the position would not reflect a prosecutor workload of more than 100% of the standard full-time workload; and (c) the recipient county requested additional resources in the biennial budget.

Conference Committee: Adopt the Assembly provision, with the following technical corrections to specify that: (a) the decision pertaining to the release of a juvenile from a secured group home would be made by the county department, not the Office of Juvenile Offender Review in the Department of Corrections (DOC); and (b) the county department, and not DOC, would be required to assess and collect any unpaid victim and witness assistance surcharge amounts relating to a juvenile placed in a secured group home.

DISTRICT ATTORNEYS

1. ADDITIONAL PROSECUTORS

Assembly: Delete the following assistant district attorney (ADA) positions: (a) 0.5 position for Columbia County; and (b) 1.25 positions for Milwaukee County. Provide 1.0 ADA position to Sauk County and direct Sauk County to assign the position to serve Columbia, Marquette and Sauk counties. Provide 0.5 ADA position for La Crosse County and 0.15 district attorney position to Forest County. Modify statutory language to make the Forest County district attorney full-time. Delete the Joint Finance provision requiring the transfer of position authority from a county which, according to the weighted prosecutor caseload measurement formula, has a prosecutor workload of less than 100% of the standard full-time workload to a county with a prosecutor workload of more than 100% of the standard full-time workload, if certain conditions apply.

Senate: Direct the State Prosecutor's Office to reallocate 3.0 assistant district attorney (ADA) positions from Waukesha County as positions become vacant, to the following counties in following order: (a) 0.5 ADA position in Portage County; (b) 0.5 ADA position in Kenosha County; and (c) 2.0 ADA positions in Dane County.

Conference Committee: Adopt the Assembly and Senate provisions, ~~except delete the Senate provision that would have reallocated 3.0 assistant district attorney positions from Waukesha County. Provide \$108,300 GPR in 1999-00 and \$144,300 GPR in 2000-01 and 2.90 assistant district attorney positions annually. As a result, the following position changes would occur: (a) the Forest County district attorney position would become full-time (0.15); (b) assistant district attorney positions would be provided to La Crosse County (0.5), Portage County (0.5), Kenosha County (0.5), Dane County (2.0) and Sauk County (1.0 position to serve Columbia, Marquette and Sauk Counties); and (c) assistant district attorney positions would be deleted from Columbia County (0.5) and Milwaukee County (1.25).~~

	Chg. to JFC	
	Funding	Positions
GPR	\$252,600	2.90

ignore reallocations



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0983/1

JEO: x:....

jlg

Today

**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 465**

1 At the locations indicated, amend the substitute amendment[✓] as follows:

2 1. Page 9, line 13: after that line insert:

Approp

3 Change "(2d) ASSISTANT DISTRICT ATTORNEY POSITION. In the schedule under section
4 20.005 (3) of the statutes for the appropriation to the department of administration
5 under section 20.475 (1) (d)[✓] of the statutes, as affected by the acts of 1999, the dollar
6 amount is increased by \$415,700 for fiscal year 1999-00 and the dollar amount is
7 increased by \$829,700 for fiscal year 2000-01 to increase the authorized FTE
8 positions for the department of administration by 17.25[✓] GPR positions on January
9 1, 2000, for assistant district attorney positions as follows: 0.25 position for Adams
10 County; 0.25 position for Chippewa County; 0.5 position for Columbia County; 2.5
11 positions for Dane County; 0.25 position for Jefferson County; 0.5 position for
12 Kenosha County; 1.0 position for Manitowoc County; 1.0 position for Marathon

1 County; 7.0 positions for Milwaukee County; 0.5 position for Oneida County; 0.5
2 position for Outagamie County; 0.5 position for Portage County; 0.75 position for
3 Rock County; 0.5 position for Sheboygan County; and 1.25 positions for Winnebago
4 County.”

5 (END)