

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001

Received By: mdsida

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Keckhaver

This file may be shown to any legislator: NO

Drafter: mdsida

May Contact:

Addl. Drafters:

Subject: Criminal Law - district attys

Extra Copies: rlr

Submit via email: NO

Requester's email:

Pre Topic:

SDC:.....Keckhaver - CN5005,

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>
/?	mdsida 06/16/2001	wjackson 06/16/2001		_____			
/1		wjackson 06/19/2001	kfollet 06/16/2001	_____	lrb_docadmin 06/16/2001		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2		wjackson 06/19/2001	jfrantze 06/19/2001	_____	lrb_docadmin 06/19/2001		
/3			pgreensl 06/19/2001	_____	lrb_docadmin 06/19/2001		

FE Sent For:

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6/19
PQ

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/?	mdsida 06/16/2001	wjackson 06/16/2001		<i>ISK/ARK</i> <u>6/19</u>			
/1		<i>1/2 WJ 6/19</i>	kfollet 06/16/2001		lrb_docadmin 06/16/2001		
			<i>Jo 6/19</i>				

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/?	mdsida	11 WJ 6/16	LCJ 6/16	EA/SELF 6/16			

FE Sent For:

<END>

Agency: District Attorneys

MGD

caucus number 2515

duplicate flag: _____ Other reference numbers: Paper 381 LFB Sum #:
duplicate with: _____ FM 1058
_____ bill number/amendment number:
_____ LRB draft # LRB P-draft: _____

description: Maintain JFC action on additional assistant D.A.s, including one for Dane County.

other notes

drafting instructions:

more instructions:

GPR: \$0.00 PR: \$0.00 SEG: \$0.00 Other:
FED: \$0.00 TANF: \$0.00 All Funds: \$0.00
GPR-REV: \$0.00 SEG-REV: \$0.00 PR-REV: \$0.00
no fiscal impact: x unknown impact:

caucus number 3511

duplicate flag: _____ Other reference numbers: LFB Sum #:
duplicate with: _____
_____ bill number/amendment number:
_____ LRB draft # LRB P-draft: _____

description: Keep 1.5 positions for District Attorney's for Brown County

other notes

drafting instructions:

more instructions:

GPR: \$0.00 PR: \$0.00 SEG: \$0.00 Other:
FED: \$0.00 TANF: \$0.00 All Funds: \$0.00
GPR-REV: \$0.00 SEG-REV: \$0.00 PR-REV: \$0.00
no fiscal impact: unknown impact: x

caucus number 5005

duplicate flag: _____ Other reference numbers: Paper 381 LFB Sum #:
duplicate with: _____ FM 1058
_____ bill number/amendment number:
_____ LRB draft # LRB P-draft: _____

description: Modify motion 1058 by reallocating 0.5 D.A.s from Brown County to Ashland County (see CN 3511)

other notes

drafting instructions:

more instructions:

GPR: \$0.00 PR: \$0.00 SEG: \$0.00 Other:
FED: \$0.00 TANF: \$0.00 All Funds: \$0.00
GPR-REV: \$0.00 SEG-REV: \$0.00 PR-REV: \$0.00
no fiscal impact: unknown impact: x

District Attorneys – 0.5 position for Ashland County

CN5005

- **Modify previous action of Joint Finance on district attorneys (motion 1058 Burke/Kaufert/Huber) by reallocating a 0.5 assistant district attorney position for Ashland County from one or more of the counties funded by Joint Finance but ranked lower in need than Ashland County.**
- **Fund this position by taking a 0.5 position from some combination of counties lower in need than Ashland County.**
- **Cost: because the 0.5 position would be taken from counties already allocated a position by Joint Finance, this proposal has no cost in addition to the JFC version of the bill.**
- **As shown by the attached chart from paper 381, Ashland County ranks 6th in need at a current prosecutor workload of 140%, yet Joint Finance gave new positions to 8 counties ranked lower in need than Ashland County.**

ATTACHMENT

Prosecutor Weighted Caseload Using 1997-99 Average Cases Filed

County	Authorized Positions*	Additional Positions Needed at 100%	Current Prosecutor Workload	County	Authorized Positions*	Additional Positions Needed at 100%	Current Prosecutor Workload
Outagamie**	7.50	4.36	158%	Dodge	4.00	0.58	115%
Chippewa ✓	3.00	1.72	157	Oconto	1.50	0.22	114
Columbia ✓	3.50	1.67	148	Clark	2.00	0.27	113
Manitowoc ✓	4.50	1.92	143	Juneau	2.00	0.24	112
La Crosse	7.30	3.07	142	Price	1.00	0.09	109
Ashland	1.50	0.60	140	Bayfield	1.00	0.09	109
Eau Claire	8.00	3.04	138	Racine	19.00	1.63	109
Sheboygan	7.50	2.84	138	Trempealeau	1.60	0.12	108
Winnepago**	9.00	3.40	138	Marinette	2.50	0.18	107
Marathon	7.50	2.66	136	Green	2.00	0.11	106
Burnett***	1.25	0.44	135	Door	2.00	0.08	104
Dane	27.00	8.96	133	Waushara	1.50	0.03	102
Jefferson	4.80	1.58	133	Walworth	5.00	0.05	101
Ozaukee	3.00	0.99	133	Milwaukee	113.50	0.36	100
Taylor	1.00	0.32	132	Waupaca	4.00	-0.12	97
Kenosha	12.00	3.83	132	Portage	4.00	-0.13	97
Langlade	1.50	0.46	131	Barron	3.00	-0.20	93
Lincoln	2.00	0.61	130	Green Lake	1.50	-0.10	93
Sauk	4.50	1.36	130	Pepin	0.60	-0.04	93
Forest	1.00	0.29	129	Calumet	2.00	-0.17	91
Monroe	3.00	0.84	128	Dunn	3.50	-0.31	91
Brown	12.00	3.29	127	Waukesha	18.50	-1.65	91
Oneida	2.50	0.67	127	Florence	0.50	-0.06	89
Polk	2.00	0.51	126	Crawford	1.00	-0.14	86
Shawano/Menominee	3.00	0.76	125	Rusk	1.50	-0.22	85
Adams	1.20	0.30	125	Iowa	1.75	-0.32	81
Sawyer	2.00	0.50	125	Buffalo	1.00	-0.19	81
Fond du Lac**	5.25	1.22	123	Jackson	2.00	-0.39	80
Rock	14.25	3.29	123	Iron	1.00	-0.22	78
Washington	5.00	1.14	123	Kewaunee	1.50	-0.35	77
Wood	4.00	0.74	119	Lafayette	1.00	-0.30	70
Grant	2.00	0.34	117	Richland	1.80	-0.58	68
Douglas	3.50	0.56	116	Vilas	2.00	-0.64	68
Marquette	1.20	0.19	116	Saint Croix	6.00	-2.23	63
Washburn***	1.25	0.19	116	Pierce	3.00	-1.51	50
				Vernon	2.40	-1.23	49
				Total	401.65	51.61	113%

*Reflects the adjusted base, minus 10.5 PR project positions deleted under the bill in 2002-03.

**Reflects that the workload of the drug prosecutor assigned in Outagamie County is divided as follows: 50% in Outagamie County; 25% in Fond du Lac County; and 25% in Winnebago County.

***Reflects that the workload of the 0.5 GPR prosecutor assigned in Washburn County is divided as follows: 50% in Washburn County and 50% in Burnett County.

14-2

DISTRICT ATTORNEYS

Vehicle Fines and Forfeitures and Additional Prosecutors

[LFB Paper #381]

Motion:

Move to provide that: (a) when the cumulative amount retained by a county for fines and forfeitures imposed by the courts under Chapters 341 through 347, 349 and 351 is equal to the amount retained by the county for such fines and forfeitures in 2000-01, the county must remit 100% of such fines and forfeitures that exceed the amount retained by the county in 2000-01 to the State Treasurer, who shall distribute 50% of these funds to the common school fund and 50% to a district attorney fines and forfeitures program revenue appropriation; and (b) create a district attorney fines and forfeitures program revenue appropriation that would receive these funds and provide that these funds could be used to support the costs of prosecutors.

In addition provide \$368,100 PR in 2001-02 and \$734,800 PR in 2002-03 and 14.55 PR assistant district attorney positions as follows: Brown (2.0), Chippewa (0.75), Columbia (1.0), Dane (1.85), Jefferson (0.5), Kenosha (1.0), Juneau (0.5), La Crosse (0.7), Manitowoc (1.0), Marathon (1.0), Outagamie (2.0), Rock (0.5), Sauk (0.5), and Winnebago (1.25). Provide that the 14.55 PR positions would begin January 1, 2002.

Note:

[Change to Base: \$1,102,900 PR, \$1,284,000 PR-REV and 14.55 PR positions]
[Change to Bill: \$1,102,900 PR, \$1,284,000 PR-REV and 14.55 PR positions]



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb0778/?
MGD: /.....
WLj

SDC:.....Keckhaver - CN5005, District attorney positions for Brown and Ashland counties

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 1. Page ¹³³² ~~1469~~, line ⁵ ~~14~~: after that line insert:

NONSTATS
SUB

3 "~~(1)~~ ^K ~~DISTRICT ATTORNEY~~ ^{ASSISTANT} DISTRICT ATTORNEY POSITION REALLOCATIONS. Notwithstanding sections
4 978.03[✓] and 978.04[✓] of the statutes, the department of administration shall reduce
5 Brown County's allocation of FTE GPR assistant district attorney positions funded
6 from the appropriation account under section 20.475 (1) (d) of the statutes by 0.5
7 positions and shall increase Ashland County's allocation of FTE GPR assistant
8 district attorney positions funded from the appropriation account under section
9 20.475 (1) (d) of the statutes by 0.5 positions¹¹.

DISTRICT ATTORNEYS

Increase the DA allocation to Pepin County by 0.2 position effective January 1, 2002, and provide the corresponding program revenue. Further, reallocate 0.25 position from Juneau County and 0.25 position from Rock County and provide 0.5 position to Ashland County effective January 1, 2002.

CN 5005



SDC:.....Keckhaver - CN5005, District attorney positions for Brown and Ashland counties

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

retrieve from hold

Juneau County's and Rock

was created by this act,

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

2 **1.** Page 1332, line 5: after that line insert:

3 “(1k) DISTRICT ATTORNEY POSITION REALLOCATIONS. Notwithstanding sections

4 978.03 and 978.04 of the statutes, the department of administration shall reduce

5 ~~Brown~~ County’s allocation of FTE QPR assistant district attorney positions funded

6 from the appropriation account under section 20.475 (1) (6) of the statutes by 0.5

7 position^{each} and shall increase Ashland County’s allocation of FTE QPR assistant

8 district attorney positions funded from the appropriation account under section

9 20.475 (1) (1) of the statutes^{was created by this act,} by 0.5 position. ⁹

10

(END)

Insert 1/9

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0778/2ins
MCD:.....

INS 1/9

1 (2k) DISTRICT ATTORNEY POSITION INCREASE FOR PEPIN COUNTY. The authorized
2 FTE positions for the department of administration are increased by 0.2 PR
3 positions, to be funded from the appropriation account under section 20.475 (1) (g)
4 of the statutes, for 0.2 FTE assistant district attorney positions in Pepin County.”

as created by this act,
in



SDC:.....Keckhaver – CN5005, District attorney positions

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 **1.** Page 1332, line 5: after that line insert:

3 “(1k) DISTRICT ATTORNEY POSITION REALLOCATIONS. Notwithstanding sections
4 978.03 and 978.04 of the statutes, ^{effective January 1, 2002,} the department of administration shall reduce
5 Juneau County’s and Rock County’s allocation of FTE PR assistant district attorney
6 positions funded from the appropriation account under section 20.475 (1) (g) of the
7 statutes, as created by this act, by 0.25 position each and shall increase Ashland
8 County’s allocation of FTE PR assistant district attorney positions funded from the
9 appropriation account under section 20.475 (1) (g) of the statutes, as created by this
10 act, by 0.5 position.

1 (2k) DISTRICT ATTORNEY POSITION INCREASE FOR PEPIN COUNTY. The authorized
2 FTE positions for the department of administration are increased by 0.2 PR position,
3 to be funded from the appropriation account under section 20.475 (1) (g) of the
4 statutes, as created by this act, for a 0.2 FTE assistant district attorney position in
5 Pepin County.”

6 (END)

on January 1, 2002

SDC:.....Keckhaver – CN5005, District attorney positions

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 **1.** Page 1332, line 5: after that line insert:

3 “(1k) DISTRICT ATTORNEY POSITION REALLOCATIONS. Notwithstanding sections
4 978.03 and 978.04 of the statutes, effective January 1, 2002, the department of
5 administration shall reduce Juneau County’s and Rock County’s allocation of FTE
6 PR assistant district attorney positions funded from the appropriation account
7 under section 20.475 (1) (g) of the statutes, as created by this act, by 0.25 position
8 each and shall increase Ashland County’s allocation of FTE PR assistant district
9 attorney positions funded from the appropriation account under section 20.475 (1)
10 (g) of the statutes, as created by this act, by 0.5 position.

