

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: **06/21/2001**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Spencer Black (608) 266-7521**

By/Representing: **Susan McMurray**

This file may be shown to any legislator: **NO**

Drafter: **mdsida**

May Contact:

Addl. Drafters:

Subject: **Criminal Law - district attys
Criminal Law - miscellaneous
Transportation - motor vehicles**

Extra Copies: **rlr
tnf
pjh**

Submit via email: **YES**

Requester's email: **Rep.Black@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Use of penalties for vehicle-related offenses; district attorney positions - ADC71

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 06/25/2001	wjackson 06/25/2001		_____			
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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			06/28/2001 _____		06/29/2001	06/29/2001	

FE Sent For:

<END>

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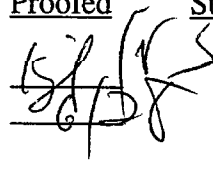
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See Attached

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1/1	mdsida	1 WJ 6/25	5/1 6/28				

FE Sent For:

<END>

Assembly Democrat Budget Amendment Requests

Request Number: 71
(not LRB number)

Agency: Courts

Description: Repeal cap of 50% on dollars retained by counties for fines and forfeitures imposed by courts under ch 341-347, 349 and 351 in LFB motion 1058

Attachments: LFB motion 1058 & WCCA memo

Cost (if known):

Contact person: Susan McMurray, 266-7521, Representative Black's Office

RPN

60595/4

Post-it* Fax Note	76/1	Date	6/15	# pages	2
To	Dorance Black				
From	Judy Coleman				
Co./Dept.	Co.				
Phone #	266-4679				
Fax #	282-3677				

**WISCONSIN CLERKS OF
CIRCUIT COURT ASSOCIATION**

**POSITION PAPER ON JOINT FINANCE COMMITTEE
MOTION TO FUND DA POSITIONS**

The Wisconsin Clerks of Circuit Court Association (WCCCA) recognizes the need and supports the addition of assistant district attorney positions. However, WCCCA strongly opposes the funding mechanism as outlined in Motion #1058 and approved by the Joint Finance Committee since it clearly represents cost shifting from the state to the counties. This motion funds 14.55 newly created district attorney positions by reallocating county revenues. This proposal sets a permanent cap on that portion of dollars currently retained by counties for fines and forfeitures imposed by the courts under Chapter 341 through 347, 349 and 351. The county portion, currently 50% of the total collections, is to be limited following 2000-2001 collections. Our opposition to this budget amendment is for the following reasons:

- This is a significant policy change of returning the cost for District Attorneys, now a state funded program, back to the counties with dollars collected at the local level.
- Through aggressive pursuit of court ordered debts by innovative methods and allocated staff positions, many Clerks of Circuit Court offices have recorded sizable increases in the amounts received annually. The planned method of funding additional state positions will act as a significant disincentive to continuing to devote county resources to this effort.
- While the county retained portion is to be capped, county expenditures continue to grow. Any increase assists county efforts to control tax levies. The plan eliminates that potential benefit to county taxpayers.
- It is anticipated that additions to county District Attorney offices will require more county revenue as support staff is needed.
- Increased growth in the counties' ability to collect these pass-through funds for the state is anticipated to offset the cost of the positions. However, revenue shortfalls are often a disappointing but real outcome. How will future funding be managed if and when this occurs?
- Although all 72 counties will be expected to contribute revenues for these state positions, only a relatively few counties (less than 20%) will receive these additional resources.

DISTRICT ATTORNEYS

Vehicle Fines and Forfeitures and additional Prosecutors

(Motion #1058/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)

Senator Burke
Representative Kaufert
Representative Huber

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2001

Date (time) needed _____

LRB b 1375 / 1

**ADC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

mgd : WJ : _____

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

√ #. Page 236, line 12: *delete that line* ⊙

↓ #. Page 381, line 13: *delete lines 13 to 16* ⊙

√ #. Page 661, line 10: *delete lines 10 to 25* ⊙

↓ #. Page 662, line 1: *delete lines 1 to 8* ⊙

~~#. Page, line:~~

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