

2007 DRAFTING REQUEST

Bill

Received: 05/10/2007

Received By: rchampag

Wanted: Soon

Identical to LRB:

For: Employment Relations Dept.

By/Representing: Paul Ostrowski

This file may be shown to any legislator: NO

Drafter: rchampag

May Contact:

Addl. Drafters:

Subject: Employ Pub - civil service

Extra Copies:

Submit via email: YES

Requester's email: Paul.Ostrowski@wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Determination of deputy district attorney salary adjustments

Instructions:

See Attached.

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?							State
/1	rchampag 05/14/2007	jdyer 05/14/2007	pgreensl 05/14/2007		sbasford 05/14/2007	cduerst 11/26/2007	

for Assembly to Laura Rose
per RAC

FE Sent For:

<END>

→ 11-26-2007
("1") ← per RAC

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/?	rchampag	1 5/14 JLD	JH PS	5/14 PS			

FE Sent For:

<END>

Champagne, Rick

From: Ostrowski, Paul - OSER
Sent: Thursday, May 10, 2007 7:34 AM
To: Champagne, Rick
Subject: FW: DDA Info for Obtaining a Draft Bill

Rick,

We need a bill drafted that will that will make the following statutory change. The reason (for the analysis) is also provided. The draft will probably be presented to the Joint Committee on Employment Relations as companion bill to the 2007-2009 Compensation Plan, and that could happen as early as the first part of June.

Let me know if you need anything else or have any questions.

Thanks,

Paul

978.12(1)(b)



(b) *Deputy district attorneys.* Deputy district attorneys shall be employed outside the classified service. ~~The state shall pay a salary to deputy district attorneys which shall not exceed the maximum of any pay range to which assistant district attorney positions are assigned, except that a deputy district attorney may receive additional compensation for supervisory duties in accordance with supplementary provisions for supervisory and managerial employees in the state compensation plan.~~ The salaries of deputy district attorneys shall be established and adjusted in accordance with the state compensation plan.

Reason:

Section 978.12(b), Wis. Stats., is revised to remove the relationship between the maximum pay for deputy district attorneys and the pay range maximum of assistant district attorneys. The pay of nonrepresented employees should not be determined or limited by anything created through collective bargaining for a represented group, and therefore, it was an administrative oversight that deletion of this provision did not occur when the assistant district attorneys negotiated their first collective bargaining agreement.

The revision would also eliminate any future violation of this statute caused by providing deputy district attorneys wage adjustments in accordance with the biennial nonrepresented Compensation Plan, which usually go into effect prior to changes in the assistant district attorney maximum. Since the State's first collective bargaining agreement with the Association of State Prosecutors for fiscal year 1992-1993, negotiation delays caused this lag to occur at least once per biennium. Deputy District Attorney wage adjustments have not been delayed to avoid such situations because such delays would only result in lump sum payments being provided to them when the collective bargaining agreements were eventually implemented.

05/10/2007



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-2701/1

RAC:.....

soon

JLW

2007 BILL

- gen. cat.

1 AN ACT ...; relating to: salaries of deputy district attorneys.✓

Analysis by the Legislative Reference Bureau

Currently, the maximum salary of a deputy district attorney may not exceed the maximum of any pay range to which assistant district attorney positions are assigned. ✓ Assistant district attorneys have their pay ranges determined through the collective bargaining process, while deputy district attorneys have their salary ranges determined in the state compensation plan, subject to this current law salary limitation. This bill eliminates the salary limitation. ✓

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:

2 SECTION 1. 978.12 (1) (b) ✓ of the statutes is amended to read:

3 978.12 (1) (b) *Deputy district attorneys.* Deputy district attorneys shall be
4 employed outside the classified service. The state shall ~~pay a salary to deputy~~
5 ~~district attorneys which shall not exceed the maximum of any pay range to which~~
6 ~~assistant district attorney positions are assigned, except that a deputy district~~

BILL

1 ~~attorney may receive additional compensation for supervisory duties in accordance~~
2 ~~with supplementary provisions for supervisory and managerial employees in~~
3 establish and adjust the salaries of deputy district attorneys in accordance with the
4 state compensation plan.

5 **History:** 1989 a. 31, 117, 336; 1991 a. 32, 39; 1993 a. 294; 1999 a. 9, 85; 2003 a. 33 ss. 2798, 2800, 9160.

(END)