

**2011 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB394)**

Received: 03/06/2012

Received By: phurley

Wanted: Today

Companion to LRB:

For: Lena Taylor (608) 266-5810

By/Representing: Eric

May Contact:

Drafter: rchampag

Subject: Employ Pub - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Taylor@legis.wisconsin.gov

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Pay progression for ADAs and PDs

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**Instructions:**

See attached.

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**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>
/?	rchampag 03/06/2012	jdyer 03/06/2012		_____			
/1			jmurphy 03/06/2012	_____	mbarman 03/06/2012	mbarman 03/06/2012	

FE Sent For:

<END>

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/?	rchampag	1 3/6 jld	fm 3/6	PH + tm 3/6			

FE Sent For:

<END>

Rev ERIC

SSA 1 to SB 394

of

AB 648



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBs0332/1

RAC:jld:rs

Today AM

SENATE SUBSTITUTE AMENDMENT X

TO 2011 SENATE BILL 394

LRB503891

RAC:jk

~~February 16, 2012 - Offered by Senator OLSEN.~~

Dist 1-3

1 AN ACT *to amend* 978.12 (1) (c); and *to create* 20.475 (1) (em) and 230.12 (10)  
2 of the statutes; **relating to:** establishing an assistant district attorney pay  
3 progression plan. and an ✓

***Analysis by the Legislative Reference Bureau***

This substitute amendment establishes a pay progression plan for ✓assistant district attorneys, which was required under 2011 Wisconsin Act 32. Under the substitute amendment, 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 pay progression plan shall be based entirely on merit.

Under the substitute amendment, beginning with the first pay period that occurs on or after 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 substitute amendment, beginning with the first pay period that occurs on or after July 1, 2014, and with the first pay period that occurs on or after each succeeding July 1, 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, be paid an hourly salary at any step, or part thereof, 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. The substitute amendment provides, however, that no salary increase for an assistant district attorney may exceed 10 percent of his or her base pay during a fiscal year.

✓  
Insert Analysis →

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
2 the following amounts for the purposes indicated:

	2011-12	2012-13
3		
4	<b>20.475 District Attorneys</b>	
5	(1) DISTRICT ATTORNEYS	
6	(em) Salary adjustments	
	-0-	-0-

✓  
Insert 2-6 →

7           **SECTION 2.** 20.475 (1) (em) of the statutes is created to read:  
8           20.475 (1) (em) *Salary adjustments*. The amounts in the schedule to fund the  
9 costs of salary adjustments for assistant district attorneys provided under s. 230.12  
10 (10).

✓  
Insert 2-10 →

11           **SECTION 3.** 230.12 (10) of the statutes is created to read:  
12           230.12 (10) ASSISTANT DISTRICT ATTORNEY PAY PROGRESSION PLAN. (a) There is  
13 established a pay progression plan for assistant district attorneys. The pay  
14 progression plan shall consist of 17 hourly salary steps, with each step equal to

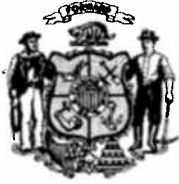
1 one-seventeenth of the difference between the lowest hourly salary and the highest  
2 hourly salary for the salary range for assistant district attorneys contained in the  
3 compensation plan. The pay progression plan shall be based entirely on merit.

4 (b) Beginning with the first pay period that occurs on or after July 1, 2013, all  
5 assistant district attorneys who have served with the state as assistant district  
6 attorneys for a continuous period of 12 months or more, and who are not paid the  
7 maximum hourly rate, shall be paid an hourly salary at the step that is immediately  
8 above their hourly salary on June 30, 2013. All other assistant district attorneys,  
9 who are not paid the maximum hourly rate, shall be paid an hourly salary at the step  
10 that is immediately above their hourly salary on June 30, 2013, when they have  
11 served with the state as assistant district attorneys for a continuous period of 12  
12 months.

13 (c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
14 with the first pay period that occurs on or after each succeeding July 1, all assistant  
15 district attorneys who have served with the state as assistant district attorneys for  
16 a continuous period of 12 months or more, and who are not paid the maximum hourly  
17 rate, may, at the discretion of their supervising district attorney, be paid an hourly  
18 salary at any step, or part thereof, above their hourly salary on the immediately  
19 preceding June 30. All other assistant district attorneys, who are not paid the  
20 maximum hourly rate, may, at the discretion of their supervising district attorney,  
21 be paid an hourly salary at any step, or part thereof, above their hourly salary on the  
22 immediately preceding June 30, when they have served with the state as assistant  
23 district attorneys for a continuous period of 12 months. No salary adjustment for an  
24 assistant district attorney under this paragraph may exceed 10 percent of his or her  
25 base pay during a fiscal year.

✓  
Insert  
3-25  
25 →





## 2011 ASSEMBLY BILL 648

March 2, 2012 - Introduced by Representatives RICHARDS, LITJENS, BERCEAU, BERNARD SCHABER, BROOKS, E. COGGS, GRIGSBY, HEBL, MASON, MOLEPSKE JR, POCAN, POPE-ROBERTS, ROYS, SINICKI and TURNER, cosponsored by Senators TAYLOR, C. LARSON, LASSA, HANSEN, RISSER and S. COGGS. Referred to Committee on Criminal Justice and Corrections.

1 AN ACT to create 20.550 (1) (em) and 230.12 (11) of the statutes; relating to:  
2 establishing an assistant state public defender pay progression plan.

### Analysis by the Legislative Reference Bureau

This ~~bill~~ establishes a pay progression plan for assistant state public defenders. 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 state public defenders contained in the compensation plan. The pay progression plan shall be based entirely on merit.

Under the ~~bill~~, beginning with the first pay period that occurs on or after July 1, 2013, all assistant state public defenders who have served with the state as assistant state public defenders 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 state public defenders, 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 state public defenders for a continuous period of 12 months.

In addition, under the ~~bill~~, beginning with the first pay period that occurs on or after July 1, 2014, and with the first pay period that occurs on or after each succeeding July 1, all assistant state public defenders who have served with the state as assistant state public defenders for a continuous period of 12 months or more, and who are not paid the maximum hourly rate, may, at the discretion of the state public

INS  
Bill  
1-3

also  
Substitute  
amendment  
INSERT  
Analysis

Substitute  
amendment

✓



ASSEMBLY BILL 648

INSERT  
ANALYSIS  
CONT

substitute amendment

end of Analysis

defender, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30. All other assistant state public defenders, who are not paid the maximum hourly rate, may, at the discretion of the state public defender, be paid an hourly salary at any step, or part thereof, above their hourly salary on the immediately preceding June 30, when they have served with the state as assistant state public defenders for a continuous period of 12 months. The ~~bill~~ provides, however, that no salary increase for an assistant state public defender may exceed 10 percent of his or her base pay during a fiscal year.

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. 20.005 (3) (schedule) of the statutes. at the appropriate place, insert  
2 the following amounts for the purposes indicated:

3 2011-12      2012-13

4 **20.550 Public Defender Board**

5 (1) LEGAL ASSISTANCE

6 (em) Salary adjustments -0-      -0-

7 SECTION 2. 20.550 (1) (em) of the statutes is created to read:

8 20.550 (1) (em) *Salary adjustments.* The amounts in the schedule to fund the  
9 costs of salary adjustments for assistant state public defenders provided under s.

10 230.12 (11). *De*

11 SECTION 3. 230.12 (11) of the statutes is created to read:

12 230.12 (11) ASSISTANT STATE PUBLIC DEFENDER PAY PROGRESSION PLAN. (a) There  
13 is established a pay progression plan for assistant state public defenders. The pay  
14 progression plan shall consist of 17 hourly salary steps, with each step equal to  
15 one-seventeenth of the difference between the lowest hourly salary and the highest



INSERT  
2-6

INSERT  
2-10

INSERT  
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INSERT  
3-25 cont

**ASSEMBLY BILL 648**

1 hourly salary for the salary range for assistant state public defenders contained in  
2 the compensation plan. The pay progression plan shall be based entirely on merit.

3 (b) Beginning with the first pay period that occurs on or after July 1, 2013, all  
4 assistant state public defenders who have served with the state as assistant state  
5 public defenders for a continuous period of 12 months or more, and who are not paid  
6 the maximum hourly rate, shall be paid an hourly salary at the step that is  
7 immediately above their hourly salary on June 30, 2013. All other assistant state  
8 public defenders, who are not paid the maximum hourly rate, shall be paid an hourly  
9 salary at the step that is immediately above their hourly salary on June 30, 2013,  
10 when they have served with the state as assistant state public defenders for a  
11 continuous period of 12 months.

12 (c) Beginning with the first pay period that occurs on or after July 1, 2014, and  
13 with the first pay period that occurs on or after each succeeding July 1, all assistant  
14 state public defenders who have served with the state as assistant state public  
15 defenders for a continuous period of 12 months or more, and who are not paid the  
16 maximum hourly rate, may, at the discretion of the state public defender, be paid an  
17 hourly salary at any step, or part thereof, above their hourly salary on the  
18 immediately preceding June 30. All other assistant state public defenders, who are  
19 not paid the maximum hourly rate, may, at the discretion of the state public defender,  
20 be paid an hourly salary at any step, or part thereof, above their hourly salary on the  
21 immediately preceding June 30, when they have served with the state as assistant  
22 state public defenders for a continuous period of 12 months. No salary adjustment  
23 for an assistant state public defender under this paragraph may exceed 10 percent  
24 of his or her base pay during a fiscal year.

end  
3-25-