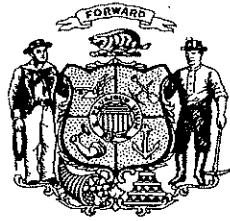


State of Wisconsin

SENATE CHAIR
Howard Marklein

316 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-0703



ASSEMBLY CHAIR
Mark Born

308 East, State Capitol
P.O. Box 8952
Madison, WI 53708-8953
Phone: (608) 266-2540

Joint Committee on Finance

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Howard Marklein
Representative Mark Born

Date: February 22, 2023

Re: s. 16.515/16.505(2), Stats. Request

Attached is a copy of a request from the Department of Administration, received February 22, 2023, pursuant to s. 16.515/16.505(2), Stats., on behalf of the Langlade County District Attorney's Office.

Please review the material and notify **Senator Marklein** or **Representative Born** no later than **Monday, March 13, 2023**, if you have any concerns about the request or if you would like the Committee to meet formally to consider it.

Also, please contact us if you need further information.

Attachments

HM:MB:jm



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary
Brian Pahnke, Administrator

Date: February 20, 2023

To: Kathy Blumenfeld, Secretary
Department of Administration

From: Nicholas Richter
Executive Policy and Budget Analyst

Subject: Request Under s. 16.505(2) from the Langlade County District Attorney for the Creation of 0.5 FTE Program Revenue Assistant District Attorney Project Position.

FEB 22 2023
St. Finance

Request:

The Department of Administration, on behalf of the Langlade County District Attorney's Office, requests the creation of 0.5 FTE program revenue assistant district attorney project position from January 1, 2023, through December 31, 2024.

Revenue Sources for Appropriation:

The revenue source for the position in the gifts and grants appropriation under s. 20.475(1)(h) is a grant from Langlade County via its annual operating budget. As the grant is funded from a program revenue, continuing, all moneys received appropriation, there is no accompanying request for an increase in expenditure authority. Langlade County would reimburse the salary and fringe benefit costs for this 0.5 FTE PR assistant district attorney position.

Background:

On October 27, 2022, the Langlade County Administrator contacted the State Prosecutors Office via letter regarding the creation of a 0.5 FTE PR county-funded grant position to augment an existing state funded 0.5 FTE GPR position. The full Langlade County Board met and approved the funding commitment on November 28, 2022. This position would be a general prosecutor focusing on juveniles, domestic violence, theft, drugs, operating a vehicle while intoxicated and various other felony and misdemeanor level offenses.

Located in North Central Wisconsin, Langlade County is home to 20,000 citizens, as well as many industrial, recreational and agricultural assets. U.S. Highway 45 runs the length of the county, the nearest major population centers are Wausau, Stevens Point and Green Bay. Langlade County has seen an increase in methamphetamines, opioids and other associated criminal behavior. Currently along with the elected District Attorney, the office has authorization for 1.5 FTE assistant district attorney positions. According to the 2022 caseload analysis, Langlade County should have an additional 1.1 FTE assistant district attorney positions to be fully staffed, for a total of 3.6 FTE positions.

Kathy Blumenfeld, Secretary

Page 2

February 20, 2023

Analysis:

The half-time prosecutor position was vacated on December 31, 2022. This grant would allow the office to increase the current half-time assistant district attorney to full-time by providing up to \$50,000 in salary and fringe benefits. This increase is needed in order to recruit a competent and well qualified assistant district attorney into the Langlade District Attorney's Office.

This 0.5 FTE position is in furtherance of the state's policy to deter criminal behavior, to hold criminals accountable for their action, to support victims of crime and to ensure cases move swiftly through the criminal justice system.

Funding of up to \$50,000 has been authorized by the Langlade County Board for a 0.5 FTE assistant district attorney position for two years. Langlade County operates on a calendar year budget and in November, the county board approved the funds for this position with its 2023 operating budget. The district attorney's office has indicated that the funds would be sufficient to support the 0.5 FTE assistant district attorney position for two years; however, it should be noted that funding must be approved again in the county's 2024 operating budget in order to meet the full two-year request. In addition, the District Attorneys requested a 0.5 FTE GPR position in its agency request to increase the existing 0.5 FTE GPR position to full-time. The Governor's 2023-25 biennial budget recommends providing a 0.5 FTE GPR position beginning on January 1, 2025. This would coincide with the end date of the proposed project position that is the subject of this request.

The program revenue appropriation, s. 20.475(1)(h), is continuing and will be reestimated based on actual experience. It should also be noted that the Governor's 2023-25 biennial budget recommendations propose increasing starting pay for assistant district attorneys to \$35.00 per hour. Should that provision be included in the final compensation plan, this position would need to be reevaluated to determine if sufficient funds are available. Available funding and authorizations will be closely monitored, and the position will be vacated if a funding shortfall occurs.

Recommendation:

Approve the request.



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary-Designee
Jana Steinmetz, Administrator

DATE: November 29, 2022

TO: Brian Pahnke, Administrator
Division of Executive Budget and Finance

FROM: Kasey Deiss, Director
State Prosecutors Office

SUBJECT: REQUEST UNDER S. 16.505 FOR DEPARTMENT 475: LANGLADE
COUNTY DISTRICT ATTORNEY'S OFFICE

On behalf of the Langlade County District Attorney's Office, I am submitting the attached request for authorization to create a 0.5 FTE program revenue project position in Department 475, District Attorneys.

Thank you for your attention to this matter.

Attachment

**DEPARTMENT OF ADMINISTRATION REQUEST UNDER S. 16.505 FOR
POSITION AUTHORIZATION**

I. REQUEST

The Department of Administration (DOA) requests, under s.16.505, the creation of 0.5 FTE program revenue (PR) assistant district attorney (ADA) project positions from January 1, 2023, through December 31, 2024. The position is in the Langlade County District Attorney's (DA's) Office. If approved, this position will be funded via appropriation s. 20.475(1)(h).

II. BACKGROUND

On October 27, 2022, the Langlade County Administrator contacted the State Prosecutors Office via letter regarding the creation of a 0.5 FTE County funded grant position to augment an existing state funded 0.5 FTE position. The full Langlade County Board met and approved the funding commitment on November 28, 2022. This position will be a general prosecutor focusing on juveniles, domestic violence, theft, drugs, OWI and various other felony and misdemeanor level offenses.

Located in North Central Wisconsin, Langlade County is home to 20,000 citizens, as well as many industrial, recreational and agricultural assets. US Highway 45 runs the length of the county, the nearest major population centers are Wausau, Stevens Point and Green Bay. Langlade County has seen an increase in methamphetamines, opioids and other associated criminal behavior. Currently along with the elected District Attorney, the office has authorization for 1.5 FTE Assistant District Attorney positions. The DA will be resigning at the end of the calendar year, as will the half-time prosecutor. This grant will allow the office to increase the current half-time ADA to full-time by providing \$40,000-\$50,000 in salary and fringe. This increase is needed in order to recruit a competent and well qualified assistant district attorney into the Langlade DA office.

III. ANALYSIS

This 0.5 FTE position is in furtherance of the State's policy to deter criminal behavior, to hold criminals accountable for their action, to support victims of crime and to ensure cases move swiftly through the criminal justice system.

IV. FISCAL ANALYSIS

Funding of \$40,000 to \$50,000 has been authorized by the Langlade County Board for a 0.5 FTE ADA position for two years. The program revenue appropriation, s. 20.475(1)(h), is continuing and will be re-estimated based on actual experience. Available funding and authorizations will be closely monitored, and the position will be vacated if a funding shortfall occurs.

V. REVENUE SOURCE FOR APPROPRIATION

The source of the grant funds is the Langlade County Board via their 2023-24 Budget. Langlade County will reimburse the salary and fringe benefit costs for this 0.5 FTE State-paid ADA position in the Department of District Attorneys.

VI. SPECIAL INFORMATION

The co-chairs of the Joint Committee on Finance, in a letter to Department of Administration Secretary dated June 12, 1996, set forth four additional items of information that should be included in a s.16.505 request for additional positions in the District Attorney program.

- 1) *An explanation of the effect of the positions on weighted caseload for the requesting counties (the LAB methodology is suggested).*

Table 1 indicates the LAB methodology's results using the modifications recommended by the Wisconsin District Attorneys Association and highlights the impact on the Langlade DA Office. The table uses the most current court data available, and the positions authorized as of August, 2022. It is important to note that the position need shown in the LAB methodology is a general need responding to all duties of a DA office and is not specific to a particular type of criminal activity or caseload.

- 2) *An assessment of similar caseload problems in counties not addressed by the request.*

Data with which to make this assessment are not available.

- 3) *An explanation of why the request has greater priority than similar needs existing in other counties.*

This grant, funded through the Langlade County Budget is intended to combat crime and recruit a full-time ADA to Langlade County.

- 4) *If the request is intended to address a specific type of caseload, an explanation of why this type of caseload has a greater priority than other types.*

This grant, funded through the Langlade County Budget is intended to combat crime by ensuring adequate staffing in the Langlade County DA Office.

November 29, 2022
 Langlade County 0.5 FTE
 s.16.505 Request

DA Office Code		Authoriz ed Permanent FTE AUG 2022	Total hours available (1162/FTE)	Dif (=needed-availabl e)	FTE equivalent (=dif/1162)	FTE needed as a % of current FTE	Current FTE as a % of total FTE needed	2020 DOA Population Estimate	Prosecuto rs per 10,000 residents (Goal is 1 to 10,000)
#	DA Office	FTE	1,162	Hours	FTE needed	% FTE needed	% FTE needed		
1	Adams	2.00	2,324.00	391.42	0.34	16.84 %	85.59%	20,701.00	0.97
2	Ashland	2.60	3,021.20	809.67	0.70	26.80 %	78.86%	15,871.00	1.64
3	Barron	4.00	4,648.00	473.96	0.41	10.20 %	90.75%	46,522.00	0.86
4	Bayfield	1.70	1,975.40	-417.39	-0.36	21.13 %	126.79 %	15,334.00	1.11
5	Brown	15.00	17,430.00	12,221.64	10.52	70.12 %	58.78%	264,821.00	0.57
6	Buffalo	1.20	1,394.40	854.99	0.74	61.32 %	61.99%	13,671.00	0.88
7	Burnett	2.00	2,324.00	1,891.10	1.63	81.37 %	55.14%	15,486.00	1.29
8	Calumet	3.00	3,486.00	247.92	0.21	7.11% 24.13 %	93.36%	53,338.00	0.56
9	Chippewa	6.00	6,972.00	1,682.41	1.45	24.13 %	80.56%	65,339.00	0.92
10	Clark	2.00	2,324.00	359.82	0.31	15.48 %	86.59%	34,725.00	0.58
11	Columbia	6.00	6,972.00	2,390.15	2.06	34.28 %	74.47%	57,134.00	1.05
12	Crawford	1.00	1,162.00	586.90	0.51	50.51 %	66.44%	16,679.00	0.60
13	Dane	29.00	33,698.00	10,620.11	9.14	31.52 %	76.04%	543,408.00	0.53
14	Dodge	5.00	5,810.00	264.12	0.23	4.55% 20.46 %	95.65%	90,005.00	0.56
15	Door	2.00	2,324.00	475.57	0.41	20.46 %	83.01%	28,770.00	0.70
16	Douglas	5.00	5,810.00	1,692.95	1.46	29.14 %	77.44%	44,246.00	1.13
17	Dunn	5.00	5,810.00	1,362.31	1.17	23.45 %	81.01%	44,788.00	1.12
18	Eau Claire	10.00	11,620.00	7,484.00	6.44	64.41 %	60.82%	103,959.00	0.96
19	Florence	0.60	697.20	-261.82	-0.23	37.55 %	160.14 %	4,467.00	1.34
20	Fond du Lac	9.00	10,458.00	4,390.89	3.78	41.99 %	70.43%	104,370.00	0.86
21	Forest	2.00	2,324.00	86.84	0.07	3.74% 87.64 %	96.40%	9,183.00	2.18
22	Grant	2.00	2,324.00	2,036.74	1.75	17.29 %	53.29%	52,572.00	0.38
23	Green	3.00	3,486.00	-202.03	-0.17	5.80% 106.15 %	106.15 %	36,967.00	0.81
24	Green Lake	2.00	2,324.00	401.72	0.35	17.29 %	85.26%	19,178.00	1.04
25	Iowa	2.00	2,324.00	924.44	0.80	39.78 %	71.54%	23,915.00	0.84
26	Iron	1.00	1,162.00	-180.53	-0.16	15.54 %	118.39 %	5,909.00	1.69

November 29, 2022
 Langlade County 0.5 FTE
 s.16.505 Request

27	Jackson	3.00	3,486.00	200.10	0.17	5.74%	94.57%	20,828.00	1.44
28	Jefferson	6.00	6,972.00	1,982.79	1.71	28.44%	77.86%	84,692.00	0.71
29	Juneau	3.00	3,486.00	1,007.82	0.87	28.91%	77.57%	27,250.00	1.10
30	Kenosha	17.00	19,754.00	7,558.32	6.50	XX	72.33%	170,514.00	1.00
31	Kewaunee	1.50	1,743.00	-362.80	-0.31	20.81%	126.29%	20,746.00	0.72
32	La Crosse	10.00	11,620.00	2,247.36	1.93	19.34%	83.79%	120,447.00	0.83
33	Lafayette	1.50	1,743.00	-95.72	-0.08	5.49%	105.81%	17,007.00	0.88
34	Langlade	2.50	2,905.00	1,275.78	1.10	43.92%	69.48%	20,063.00	1.25
35	Lincoln	3.00	3,486.00	528.89	0.46	15.17%	86.83%	28,800.00	1.04
36	Manitowoc	7.00	8,134.00	5,252.26	4.52	64.57%	60.76%	81,349.00	0.86
37	Marathon	13.00	15,106.00	5,050.83	4.35	33.44%	74.94%	137,237.00	0.95
38	Marinette	3.00	3,486.00	1,314.30	1.13	37.70%	72.62%	41,255.00	0.73
39	Marquette	1.60	1,859.20	553.74	0.48	29.78%	77.05%	15,387.00	1.04
40	Milwaukee	104.50	121,429.00	##### 0	-20.05	19.18%	123.74%	944,099.00	1.11
41	Monroe	5.00	5,810.00	3,442.02	2.96	59.24%	62.80%	46,882.00	1.07
42	Oconto	2.00	2,324.00	1,404.63	1.21	60.44%	62.33%	38,853.00	0.51
43	Oneida	2.50	2,905.00	1,579.23	1.36	54.36%	64.78%	36,268.00	0.69
44	Outagamie	11.00	12,782.00	7,025.73	6.05	54.97%	64.53%	187,661.00	0.59
45	Ozaukee	4.60	5,345.20	1,522.03	1.31	28.47%	77.84%	90,630.00	0.51
46	Pepin	0.80	929.60	-350.93	-0.30	37.75%	160.64%	7,393.00	1.08
47	Pierce	3.00	3,486.00	746.51	0.64	21.41%	82.36%	42,413.00	0.71
48	Polk	4.00	4,648.00	1,225.37	1.05	26.36%	79.14%	44,628.00	0.90
49	Portage	6.00	6,972.00	270.07	0.23	3.87%	96.27%	71,670.00	0.84
50	Price	1.50	1,743.00	-18.74	-0.02	1.08%	101.09%	14,170.00	1.06
51	Racine	20.00	23,240.00	6,862.19	5.91	29.53%	77.20%	195,766.00	1.02
52	Richland	1.80	2,091.60	-182.39	-0.16	8.72%	109.55%	18,034.00	1.00
53	Rock	15.00	17,430.00	1,405.17	1.21	8.06%	92.54%	160,120.00	0.94
54	Rusk	2.00	2,324.00	238.83	0.21	10.28%	90.68%	14,879.00	1.34
55	Saint Croix	7.00	8,134.00	4,231.81	3.64	52.03%	65.78%	90,949.00	0.77
56	Sauk	6.00	6,972.00	2,219.55	1.91	31.84%	75.85%	63,343.00	0.95
57	Sawyer	3.00	3,486.00	1,486.60	1.28	42.64%	70.10%	16,903.00	1.77
58	Shaw/Men	4.00	4,648.00	2,917.21	2.51	62.76%	61.44%	41,739.00	0.96

November 29, 2022
 Langlade County 0.5 FTE
 s.16.505 Request

59	Sheboygan	9.50	11,039.00	2,583.74	2.22	23.41 %	81.03%	116,924.00	0.81
60	Taylor	1.50	1,743.00	-232.66	-0.20	13.35 %	115.40 %	20,793.00	0.72
61	Trempealeau	2.00	2,324.00	1,187.24	1.02	51.09 %	66.19%	30,047.00	0.67
62	Vernon	2.00	2,324.00	-143.59	-0.12	6.18% -	106.59 %	30,496.00	0.66
63	Vilas	2.00	2,324.00	2,183.21	1.88	93.94 %	51.56%	21,769.00	0.92
64	Walworth	6.00	6,972.00	3,478.51	2.99	49.89 %	66.71%	104,086.00	0.58
65	Washburn	2.00	2,324.00	-66.79	-0.06	2.87% -	102.96 %	15,993.00	1.25
66	Washington	6.40	7,436.80	2,461.06	2.12	33.09 %	75.14%	138,268.00	0.46
67	Waukesha	18.00	20,916.00	9,778.32	8.42	46.75 %	68.14%	406,785.00	0.44
68	Waupaca	4.00	4,648.00	1,776.15	1.53	38.21 %	72.35%	52,155.00	0.77
69	Waushara	2.60	3,021.20	274.65	0.24	9.09% -	91.67%	24,436.00	1.06
70	Winnebago	12.00	13,944.00	1,621.18	1.40	11.63 %	89.58%	169,861.00	0.71
71	Wood	6.00	6,972.00	5,272.57	4.54	75.62 %	56.94%	75,381.00	0.80
	STATE	473.90	550,671.80	120,004.63	103.27	21.79 %	82.11%	5,850,327.00	0.81

LANGLADE COUNTY



RESOLUTION #43-2022

INTRODUCED BY: ADMINISTRATIVE COMMITTEE

INTENT: COMMIT FUNDING TO EXPAND PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION TO A FULL-TIME POSITION (2023-2024)

WHEREAS, for the past several years, the County has contracted with the attorney who was also employed in the part-time position of Assistant District Attorney in order to address the workload and case types assigned to that position; and

WHEREAS, the attorney in the part-time A.D.A. is leaving the position in November, and the County has the opportunity to fund a grant position for a 0.5 FTE Assistant District Attorney in Langlade County, thereby effectively creating a full-time A.D.A. position eligible for full-time benefits; and

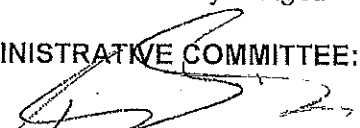
WHEREAS, in order for the State to authorize recruitment for a full-time A.D.A. position, the County must demonstrate its commitment to fund the costs associated with a .5 FTE position (wages/benefits) for a recommended minimum period of two years; and

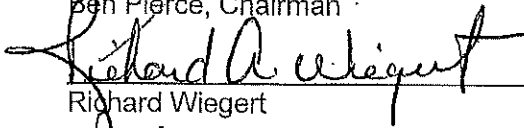
WHEREAS, the estimated costs to expand the existing part-time A.D.A. position to a full-time position is \$40,000 - \$50,000/yr. (depending upon single or family health insurance coverage and the rate of starting pay); and

WHEREAS, in order to address the workload in the D.A.'s office and for recruitment and retention purposes, the Committee strongly recommends that the County Board commit funding in 2023-2024 to cover the costs associated with expanding the part-time A.D.A. position to a full-time A.D.A. position.

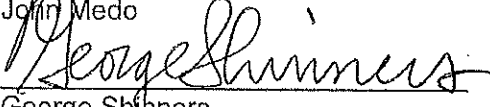
NOW THEREFORE, BE IT RESOLVED, by a two-thirds vote of the County Board of Supervisors to commit not to exceed \$50,000 from the undesignated General Fund to cover the costs associated with expanding the part-time A.D.A. position to a full-time position for the fiscal year 2023 with the intent to subsequently budget \$50,000 for these operational expenses in the 2024 County Budget.

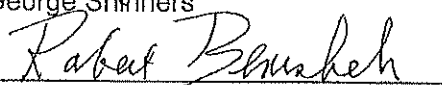
ADMINISTRATIVE COMMITTEE:

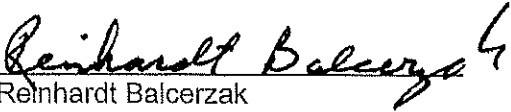

Ben Pierce, Chairman


Richard Wiegert


John Medo


George Shimmers

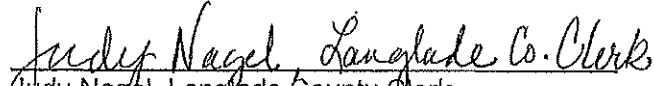


Robert Benishék


Reinhardt Balcerzak

absent
Carol Bardo

FISCAL NOTE: The legal services provided by the A.D.A. position under Chapter 48 of Wisconsin Statutes "Children's Code" are eligible for reimbursement upon application for Title IV-E legal services funding, as approved by the Department of Children & Families (up to a maximum of \$40,000/yr.).

**ADOPTED BY THE COUNTY BOARD OF LANGLADE
COUNTY THIS 28th DAY OF NOVEMBER, 2022.**


Judy Nagel, Langlade County Clerk


November ____, 2022

Kasey Deiss
Director - DOA, State Prosecutor's Office
101 E Wilson St, 9th Floor
PO Box 7869
Madison, WI 53707

RE: Commitment from Langlade County to fund the costs associated with expanding an existing part-time Assistant District Attorney position to a full-time position (2023-2024).

Dear Director Deiss:

There currently exists a part-time (.5 FTE) position of Assistant District Attorney within the D.A.'s office in Langlade County. This part-time position will become vacant in November of 2022. By this letter, the Langlade County Administrator and members of the Administrative Committee express their commitment on behalf of Langlade County to fund the costs associated with expanding the part time A.D.A. position to a full-time position, including the costs of benefits. The attached resolution will be considered by the Langlade County Board at its next meeting on November 28th, 2022.

As the part-time A.D.A. position will be vacant soon and in order to assist with recruitment, we respectfully request that the State address this issue at its earliest convenience. Please advise if there is additional information that you need from me or the County to process this request, such as adoption of the attached resolution.

Sincerely,

Jason Hilger, County Administrator

Ben Pierce, County Board Chairman
Rich Wiegert, First Vice-Chairman
John Medo, Second Vice-Chairman
Robert Benishek, Dist 1 Supervisor
George Shinnors, Dist 9 Supervisor
Carol Bardo, Dist 5 Supervisor
Reinhardt Balcerzak, Dist 8 Supervisor

Encl.



Department of Administration

Jason Hilger, C.P.A.
County Administrator
837 Clermont Street
Antigo, Wisconsin 54409
jhilger@co.langlade.wi.us

October 27, 2022

Kasey Deiss
Director - DOA, State Prosecutor's Office
101 E Wilson St, 9th Floor
PO Box 7869
Madison, WI 53707

RE: Commitment from Langlade County to fund the costs associated with expanding an existing part-time Assistant District Attorney position to a full-time position (2023-2024).

Dear Director Deiss:

There currently exists a part-time (.5 FTE) position of Assistant District Attorney within the D.A.'s office in Langlade County. This part-time position will become vacant in November of 2022. By this letter, the Langlade County Administrator and members of the Administrative Committee express their commitment on behalf of Langlade County to fund the costs associated with expanding the part time A.D.A. position to a full-time position, including the costs of benefits. The attached resolution will be considered by the Langlade County Board at its next meeting on November 28, 2022.

As the part-time A.D.A. position will be vacant soon and in order to assist with recruitment, we respectfully request that the State address this issue at its earliest convenience. Please advise if there is additional information that you need from me or the County to process this request.

Sincerely,

Jason Hilger

Jason Hilger, County Administrator

Ben Pierce, County Board Chairman
Rich Wiegert, First Vice-Chairman
John Medo, Second Vice-Chairman
Robert Benishek, Dist 1 Supervisor
George Shinnars, Dist 9 Supervisor
Carol Bardo, Dist 5 Supervisor
Reinhardt Balcerzak, Dist 8 Supervisor

Richard Wiegert
John Medo
George Shinnars
Robert Benishek
Reinhardt Balcerzak

Encl.