



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBs0332/1
RAC:jld:rs

**SENATE SUBSTITUTE AMENDMENT 1,
TO 2011 SENATE BILL 394**

February 16, 2012 - Offered by Senator OLSEN.

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.

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.

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
--	----------------	----------------

4 **20.475 District Attorneys**

5 (1) DISTRICT ATTORNEYS

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

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).

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.

1 **SECTION 4.** 978.12 (1) (c) of the statutes, as affected by 2011 Wisconsin Act 10,
2 is amended to read:

3 978.12 (1) (c) *Assistant district attorneys.* Assistant district attorneys shall be
4 employed outside the classified service. For purposes of salary administration, the
5 director of the office of state employment relations shall establish one or more
6 classifications for assistant district attorneys in accordance with the classification
7 or classifications allocated to assistant attorneys general. Except as provided in s.
8 ss. 111.93 (3) (b) and 230.12 (10), the salaries of assistant district attorneys shall be
9 established and adjusted in accordance with the state compensation plan for
10 assistant attorneys general whose positions are allocated to the classification or
11 classifications established by the director of the office of state employment relations.

12 **(END)**