



2011 SENATE BILL 479

February 15, 2012 - Introduced by Senators TAYLOR, C. LARSON, LASSA, RISSER and HANSEN, cosponsored by Representatives RICHARDS, LITJENS, BERCEAU, BERNARD SCHABER, BROOKS, GRIGSBY, HEBL, MASON, MOLEPSKE JR, POCAN, POPE-ROBERTS, ROYS and TURNER. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

- 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

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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:

	2011-12	2012-13
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4 **20.550 Public Defender Board**

5 (1) LEGAL ASSISTANCE

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

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

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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.

25 (END)