

JUSTICE INFORMATION SYSTEM SURCHARGE

Omnibus Motion
[Papers 120 thru 127, 282, 230 and 260]

Posted By:
Wheeler Reports, Inc.

Motion:

Move the following:

1. *Justice Information System Surcharge Overview [Paper #120]*. Adopt Alternative 3 to maintain the current law justice information system surcharge at \$21.50 per assessment. Approve the recommendation to delete the current law allocation mechanism for justice information system surcharge revenue. Specify the allocation of justice information system surcharge revenue to individual programs and any lapses to the general fund for 2011-12, and for 2012-13. Reestimate GPR-Earned from DOA by -\$15,000 GPR annually to reflect that the justice information fee receipts appropriation provides for a \$700,000 annual deposit to the general fund, not \$715,000.

2. *Civil Legal Services for the Indigent [Paper #121]*. Adopt Alternative 1 to approve the Governor's recommendation to delete the PR annual indigent civil legal services appropriation and its associated base expenditure authority of \$2,546,100 PR annually. In addition, delete current law statutory language which governs the administration of the civil legal services grant program.

3. *Law Enforcement Officer Supplemental Grants [Paper #122]*. Adopt Alternative 1 to approve the Governor's recommendation to delete the GPR annual law enforcement officer supplement grants appropriation and its base funding of \$1,361,000 GPR annually. Instead, create a PR annual law enforcement officer supplement grants appropriation funded from justice information system surcharge revenues, and initially provide \$1,361,000 PR annually in expenditure authority to this appropriation.

Reduce expenditure authority to the new PR annual law enforcement officer supplement grants appropriation by \$136,100 PR annually associated with a 10% budget reduction. As a result, the law enforcement officer supplement grants program would have net available funding of \$1,224,900 PR annually for grants to eligible cities.

4. *Traffic Stop Data Collection Initiative [Paper #123]*. Adopt Alternative 1 to approve the Governor's recommendation to delete \$764,100 PR and 3.74 PR positions annually provided to the Department of Administration's Office of Justice Assistance (OJA) traffic stop data

collection; state PR appropriation. As a result, no funding or positions would remain in OJA to implement the traffic stop data collection initiative.

5. *Statewide Interoperable Communication System [Paper #124]*. Adopt Alternative 1, as modified by Alternative 2, to create a PR annual interoperable communications system appropriation to provide funding to operate the Wisconsin Interoperable System for Communications (WISCOM). Funding to the appropriation would be provided from the justice information system surcharge. Provide \$410,800 PR in 2011-12, and \$1,073,100 PR in 2012-13, and 1.35 PR positions annually to this appropriation. Funding would include: (a) \$193,500 in 2011-12, and \$204,400 in 2012-13, in salary and fringe benefits funding; and (b) \$217,300 in 2011-12, and \$868,700 in 2012-13 in supplies and services funding.

Delete a 0.20 FED grant specialist and a 0.15 FED community services technician annually under the Department of Administration's Office of Justice Assistance (OJA) federal aid; homeland security appropriation. This FED position authority would instead be supported by PR funding from the justice information system surcharge under the interoperable communications system appropriation.

In addition to the new justice information systems surcharge funded appropriation, create an additional PR annual public safety interoperable communication system; general usage fees appropriation to provide funding to operate WISCOM. Authorize OJA to charge a person that is not a state agency a fee for the use of WISCOM. Any such fees would be credited to this appropriation.

6. *District Attorney Information Technology [Paper #125]*. Adopt Alternative 2 to delete the Governor's recommendation for an increase to the DAIT appropriation from the justice information systems [20.505(1)(kh)] of \$308,200 PR annually. As recommended by the Governor, repeal and recreate DOA's justice information systems appropriation. In recreating the appropriation, provide \$4,120,100 PR annually.

7. *Child Advocacy Centers [Paper #126]*. Adopt Alternative 1 to approve the Governor's recommendation to delete the GPR annual child advocacy centers appropriation and its base funding of \$264,900 GPR annually. Instead, create a PR annual child advocacy centers appropriation funded from justice information system surcharge revenues, and initially provide \$264,900 PR annually in expenditure authority to this appropriation.

Reduce expenditure authority to the new PR annual child advocacy centers appropriation by \$26,500 PR annually associated with a 10% budget reduction. As a result, the child advocacy centers grant program would have net available funding of \$238,100 PR annually for grants to child advocacy centers.

Amend current law to provide that OJA provide individual grants of \$17,000 annually to 14 child advocacy centers located in specified counties for education, training, medical advice, and quality assurance activities. As a result, grants to the 14 child advocacy centers would total \$238,000 PR annually.

8. *Treatment, Alternatives and Diversion Program [Paper #127]*. Adopt Alternative 1 to approve the Governor's recommendation to provide an additional \$110,000 PR annually in justice information system surcharge funding to provide additional resources for the treatment, alternatives and diversion (TAD) program, including \$65,000 for program administration and \$45,000 for the evaluation of the program as required by state statute.

Reduce expenditure authority to the program by \$70,500 PR annually associated with a 10% budget reduction. The reduction would be applied to supplies and services funding. As a result, the TAD program would see a net increase of \$39,500 PR annually in supplies and services funding for program administration and program evaluation costs.

Provide that any county receiving a grant under the TAD program on or after January 1, 2012, must provide matching funds equal to 25% of the amount of the grant.

Adopt Alternative 4 to direct the Department of Administration to submit a plan to the Joint Committee on Finance under s. 13.10 of the statutes as to how it will reduce state appropriations by \$1,917,900 over the biennium and lapse the associated funding to the general fund to eliminate the deficit in the \$10 drug offender diversion surcharge fund.

In addition, direct the Department of Administration's Office of Justice Assistance to every five years beginning in 2012-13, to make base TAD grant funding (including Milwaukee County) available to counties not currently participating in the program through a competitive grant process. Existing counties would not be precluded from re-applying for the funding, but the funding would be subject to a competitive grant process.

Finally, provide an additional \$333,900 PR annually in grant funding for a TAD grant for Milwaukee County. In addition, require Milwaukee County to provide a 25% match to the \$333,900 grant.

9. *Compensation for Assistant District Attorneys [Paper #282]*. Adopt Alternative 4 to delete the Governor's provision related to compensation for assistant district attorneys. Instead, specify that, in the 2011-13 biennium, District Attorneys be allowed to retain base funding for assistant district attorneys who retire during this period and to utilize the difference between the salaries of the retiring attorneys and the salaries of new attorneys to be utilized for the institution of a pay progression system under a plan approved by the Joint Committee on Finance. Require the Association of State Prosecutors and the Office of State Employment Relations (OSER) to develop a plan for the establishment of a pay progression system for these attorneys to be submitted to the Joint Committee on Finance on or before September 30, 2011. The plan must include a detailed description of how the pay progression system would be structured and administered and the fiscal cost of the system in the 2011-13 biennium, by fund source, and the projected costs in the following four biennia. Require that the plan be approved by the Joint Committee on Finance under a 14-day passive review process. [This alternative treats represented assistant district attorneys in the same manner as represented state agency attorneys (under the Wisconsin State Attorneys Association) under Motion #57, adopted by the Committee on April 26, 2011.]

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10. *Court Interpreter Reimbursement [Paper #230]*. Adopt Alternative 1 to approve the Governor's recommendation to create a program revenue appropriation and authorize expenditure of \$134,000 PR in 2011-12 and \$232,700 PR in 2012-13 for state reimbursement payments to counties for court interpreter services as follows: (a) \$57,300 in 2011-12 and \$117,000 in 2012-13 for projected increased caseload; and (b) \$76,700 in 2011-12 and \$115,700 in 2012-13 for projected increased use of certified court interpreters. In addition, reduce funding by \$143,400 GPR in the Circuit Court's GPR court interpreter fees appropriation associated with a 10% reduction to supplies and other non-personnel costs.

11. *Victim Information and Notification Everyday (VINE) [Paper #260]*. Adopt Alternative 1, as modified by Alternative 2, to create a program revenue appropriation and authorize expenditure of \$511,900 PR in 2011-12 and \$682,300 PR in 2012-13 for the Department's Office of Victim Services and Programs to support county costs associated with VINE. The funding would also support creation of the VINE Protective Order system, which would provide petitioners with automated notification of the status of restraining orders.

12. *Wisconsin Justice Information Sharing (WIJIS) Program*. Create an annual PR appropriation under the Office of Justice Assistance, funded from the justice information systems surcharge, to support the costs of WIJIS. Provide \$786,500 PR in 2011-12 and \$797,300 PR in 2012-13 and 5.3 PR positions annually in the newly created appropriation.

Note:

Under the motion, the justice information system surcharge would be maintained at \$21.50 per assessment. Table 1 identifies the fund condition for the justice information system surcharge fund under the motion. Table 2 identifies the change to the bill under the motion. In addition to the changes to the bill identified in Table 2, the motion would also re-estimate GPR-Earned from DOA by -\$15,000 GPR annually to reflect that the justice information fee receipts appropriation provides for a \$700,000 annual deposit to the general fund, not \$715,000.

TABLE 1

Justice Information System Surcharge Fund Condition Under Motion

Program	2011-12	2012-13	Paper	Alternative
Opening Balance	\$0	\$922,000		
Revenue	15,050,000	15,050,000		
DOA Justice information systems	4,120,100	4,120,100	125	2
CCAP Automated information systems	3,780,000	3,780,000	625	Held Over
Indigent civil legal services	N/A	N/A	121	1
OJA Data gathering and analysis	N/A	N/A	123	1
Traffic stop data collection; state	0	0	123	1
Traffic stop data collection; local	0	0	123	1
Treatment, alternatives and diversion program	1,078,400	1,078,400	127	1
Law enforcement officer supplement grants	1,224,900	1,224,900	122	1
Assistant district attorneys	0	0	282	4
Child advocacy centers	238,100	238,100	126	1
Court interpreters	134,000	232,700	230	1
Interoperable communications systems	410,800	1,073,100	124	2
Victim notification	511,900	682,300	260	2
Wisconsin justice information systems	786,500	797,300		
Subtotal	\$12,284,700	\$13,226,900		
Supplements & Reserves	\$180,400	\$124,900		
General fund transfers and lapses				
Transfer to general fund	\$700,000	\$700,000	120	3
Lapses to general fund	962,900	962,900		
Subtotal	\$1,662,900	\$1,662,900		
Closing Balance Under Motion	\$922,000	\$957,300		

TABLE 2

Change to the Bill Under the Motion

Item	Funding		Positions	
	2011-12	2012-13	2011-12	2012-13
Interoperable communications systems (Paper 124, alt. 2)	-\$651,400	\$651,400	0.00	0.00
DOA justice information systems (Paper 125, alt. 2)	-308,200	-308,200	0.00	0.00
Victim notification (Paper 260, alt. 2)	0	-10,300	0.00	0.00
Assistant district attorneys (Paper 282, alt. 4)	-1,000,000	-1,000,000	0.00	0.00
Wisconsin justice information systems	786,500	797,300	5.30	5.30
Treatment, alternatives and diversion, Milwaukee County	333,900	333,900	0.00	0.00
Change to Bill	-\$839,200	\$464,100	5.30	5.30

[Change to Bill: -\$375,100 PR and 5.3 PR positions, and -\$30,000 GPR-REV]