

JUSTICE

Omnibus Motion
[Papers 420 thru 428]

Motion:

Move the following:

1. *Criminal History Search Fees [Paper #420]*. Adopt Alternative 1 to approve the Governor's recommendation to specify that all nonprofit organizations be charged \$7 per criminal record name search, instead of \$2 per search, effective July 1, 2011. In addition, specify that all requesters who are neither government agencies nor nonprofit organizations be charged \$7 per criminal record name search, instead of \$13 under current law.

Delete \$598,000 PR annually in expenditure authority under the PR continuing criminal history searches; fingerprint identification appropriation as a removal of noncontinuing elements from the base. In addition, delete \$250,000 PR annually in expenditure authority from this appropriation to align expenditure authority in the appropriation with projected revenues and the estimated need for funding. Finally, delete \$295,900 PR annually from this appropriation associated with a 10% reduction to supplies and other non-personnel costs.

Adopt Alternative 3 to restore \$59,800 PR annually in expenditure authority to the PR continuing criminal history searches; fingerprint identification appropriation to correct an inadvertent calculation error.

2. *Eliminate Long-Term Vacancies [Paper #421]*. Restore 6.0 GPR positions annually to the Department of Justice that were deleted as long-term vacant positions. The associated funding with the positions would not be restored. As a result, the positions would have to be funded from base resources.

3. *Internet Crimes Against Children Task Force [Paper #422]*. Adopt Alternative 1 to approve the Governor's recommendation to provide \$497,300 GPR and 8.0 GPR positions in 2011-12, and \$543,900 GPR and 11.0 GPR positions in 2012-13, to provide additional resources to the Internet Crimes Against Children (ICAC) Task Force at the Department of Justice. In 2011-12, create 4.0 criminal analysts, 3.0 special agents, and 1.0 operations program associate. Effective April 1, 2013 (for 2012-13), create an additional 1.0 criminal analyst and 2.0 operations program associates. Funding would be provided as follows: (a) \$343,200 in 2011-12, and \$491,100 in 2012-13, for salary and fringe benefits costs; and (b) \$154,100 in 2011-12, and \$52,800 in 2012-13 for supplies and services costs.

4. *DNA Analysis Resources [Paper #423]*: Adopt Alternative 1 to approve the Governor's recommendation to provide \$394,000 GPR in 2011-12, \$376,300 GPR in 2012-13, and 6.0 deoxyribonucleic acid (DNA) analyst positions annually, to provide additional staffing and supplies and services resources to the state crime laboratories for DNA analysis. Funding would include: (a) \$217,000 in 2011-12, and \$289,300 in 2012-13, for salary and fringe benefits costs; and (b) \$177,000 in 2011-12, and \$87,000 in 2012-13, for supplies and services costs.

In addition, adopt Alternative 4 to require that the funding and position authority provided to DOJ for DNA analysis be separately tracked for budgetary purposes.

5. *Penalty Surcharge [Paper #424]*. Adopt Alternative 1 to approve the Governor's recommendation to reduce penalty surcharge funded appropriations in five different state agencies by 10% annually (generally after standard budget adjustments). Reduce expenditure authority under these appropriations by \$1,904,500 PR in 2011-12, and by \$1,905,600 PR in 2012-13.

Adopt Alternative 2 to provide that notwithstanding s. 16.513 of the statutes, DOA is not required to submit a plan to the Joint Committee on Finance during the 2011-13 biennium to address the deficit in the penalty surcharge fund.

6. *Transfer Narcotics Enforcement Funding and Positions to Criminal Investigation [Paper #425]*. Adopt Alternative 2 to delete the Governor's recommendation. Under this alternative, funding and position authority provided to DOJ for narcotics enforcement would continue to be separately tracked for budgetary purposes.

7. *Department of Defense Excess Property Program [Paper #426]*. Modify the Governor's recommendation to provide that the Department of Justice may provide up to \$98,300 PR annually in funding from its Division of Administrative Services gifts, grants and proceeds appropriation to a new PR annual federal resource acquisition appropriation to provide additional funding for the Section 1033 excess military property program administered by the Wisconsin Technical College System Foundation (WTCSF). [This alternative would require the WTCSF to continue to charge law enforcement agencies an annual \$500 fee to participate in the program to generate an additional \$30,000 annually in funding for the program.]

8. *One-Time Transfer of Funding to State Law Library [Paper #427]*. Adopt Alternative 2 to provide \$41,000 GPR to the GPR annual law library general program operations appropriation in 2011-12, for the purchase of West's National Reporter System on CD-ROM.

9. *Interagency Fund Transfers [Paper #428]*. Adopt Alternative 2 to delete the Governor's recommendation to transfer the funding and positions for the Wisconsin Statewide Information Center and the threat liaison officer program from the PR continuing Law Enforcement Services interagency and intra-agency assistance appropriation to the Law Enforcement Services federal aid, state operations appropriation. In addition, remove \$87,400 PR in 2012-13 associated with a project position which expires on June 30, 2012.

10. *Penalty Surcharge Funded MEG Prosecutors.* Authorize DOJ to utilize penalty surcharge funding deposited to its PR annual drug crimes enforcement; local grants appropriation to support prosecutor positions serving multijurisdictional enforcement groups.

Multijurisdictional enforcement groups (MEGs) are cooperative law enforcement efforts to prosecute criminal violations of Chapter 961 (the Uniform Controlled Substances Act). The penalty surcharge is imposed whenever a court imposes a fine or forfeiture for most violations of state law or municipal or county ordinance.

Note:

[Change to Bill: \$41,000 GPR and 6.0 GPR positions, -\$1,011,600 FED and -5.0 FED positions, and \$874,600 PR and 5.0 PR positions]

