



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5617/1
MIM:klm

2021 ASSEMBLY BILL 828

January 7, 2022 - Introduced by Representatives BORN, SCHRAA, SNYDER, CALLAHAN, BEHNKE, BRANDTJEN, DALLMAN, DITTRICH, DUCHOW, EDMING, GUNDRUM, JAMES, KNODL, KRUG, KURTZ, MACCO, MURPHY, OLDENBURG, PENTERMAN, PLUMER, STEFFEN, KITCHENS and MURSAU, cosponsored by Senators MARKLEIN, FEYEN, JAGLER and NASS. Referred to Committee on Corrections.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT relating to:** additional compensation and recruitment and retention
2 benefits for correctional officers, youth counselors, and psychiatric care
3 technicians.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Corrections to provide additional compensation of \$2.00 per hour to correctional officers and youth counselors in calendar year 2022, and \$5.00 per hour in calendar year 2023 and in subsequent years, until funding under the American Rescue Plan Act of 2021 (ARPA) is no longer available. The bill also requires the Department of Health Services to provide additional compensation to psychiatric care technicians of \$2.00 per hour in calendar year 2022, and \$5.00 per hour in calendar year 2023 and in subsequent years, until funding under ARPA is no longer available. The additional compensation is not permanent and the amounts are not cumulative. The bill also allows DOC and DHS to use money received under ARPA and allocated by the governor to provide recruitment and retention benefits to correctional officers, youth counselors, and psychiatric care technicians.

Under the bill, the governor must allocate sufficient moneys received under ARPA to DOC and DHS for the additional compensation and the recruitment and retention benefits under the bill.

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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. Nonstatutory provisions.**

2 (1) ADDITIONAL COMPENSATION FOR CORRECTIONAL OFFICERS AND YOUTH
3 COUNSELORS.

4 (a) *Definitions.* In this subsection:

5 1. “Correctional officer” means an individual classified as a correctional officer
6 or correctional sergeant who is employed by the state and whose principal duty is the
7 supervision of inmates at a state prison, as defined in s. 302.01, or the supervision
8 of persons committed under s. 980.06 at the secure mental health facility established
9 under s. 46.055 or the Wisconsin Resource Center established under s. 46.056.

10 2. “Youth counselor” means an individual classified as a youth counselor or
11 youth counselor-advanced who is employed by the state and whose principal duty
12 is the supervision of juveniles held in a juvenile correctional facility, as defined in s.
13 938.02 (10p).

14 (b) *Temporary compensation adjustments.* From the moneys allocated under
15 sub. (3), the department of corrections shall do all of the following:

16 1. In calendar year 2022, provide additional compensation of \$2.00 per hour to
17 each correctional officer and youth counselor.

18 2. In calendar year 2023 and in subsequent years, provide additional
19 compensation of \$5.00 per hour to each correctional officer and youth counselor.

20 (c) *Recruitment and retention.* In addition to the additional compensation
21 provided under par. (b), the department may use any moneys allocated under sub.

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1 (2) to provide overtime compensation, sign-on bonuses, longevity bonuses, or any
2 other recruitment or retention benefit provided directly to correctional officers and
3 youth counselors.

4 (d) *Expiration.* Notwithstanding any provision of a collective bargaining
5 agreement under s. 111.91, the additional compensation provided under under par.
6 (b) 1. expires on December 31, 2022, and the additional compensation provided under
7 par. (b) 2. expires when funding under sub. (3) is no longer available.

8 (e) *Report.* No later than January 15, 2025, the department of corrections shall
9 submit a report to the joint committee on finance describing in detail the amount the
10 department expended for additional compensation and recruitment and retention
11 benefits under pars. (b) and (c).

12 (2) ADDITIONAL COMPENSATION FOR PSYCHIATRIC CARE TECHNICIANS.

13 (a) *Definitions.* In this subsection, “psychiatric care technician” means an
14 individual classified as a psychiatric care technician or psychiatric care
15 technician-advanced who is employed by the state and whose principal duties are
16 performing individual treatment programming and maintaining internal security
17 among individuals who are committed to any of the following:

- 18 1. The secure mental health facility established under s. 46.055.
- 19 2. The Wisconsin Resource Center established under s. 46.056.
- 20 3. The Mendota Juvenile Treatment Center established under s. 46.057.
- 21 4. The Winnebago Mental Health Institute.

22 (b) *Temporary compensation adjustments.* From the moneys allocated under
23 sub. (3), the department of health services shall do all of the following:

- 24 1. In calendar year 2022, provide additional compensation of \$2.00 per hour to
25 each psychiatric care technician.

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1 2. In calendar year 2023 and in subsequent years, provide additional
2 compensation of \$5.00 per hour to each psychiatric care technician.

3 (c) *Recruitment and retention.* In addition to the additional compensation
4 provided under par. (b), the department of health services may use any moneys
5 allocated under sub. (3) to provide overtime compensation, sign-on bonuses,
6 longevity bonuses, or any other recruitment or retention benefit provided directly to
7 psychiatric care technicians.

8 (d) *Expiration.* Notwithstanding any provision of a collective bargaining
9 agreement under s. 111.91, the additional compensation provided under under par.
10 (b) 1. expires on December 31, 2022, and the additional compensation provided under
11 par. (b) 2. expires when funding under sub. (3) is no longer available.

12 (e) *Report.* No later than January 15, 2025, the department of health services
13 shall submit a report to the joint committee on finance describing in detail the
14 amount the department expended for additional compensation and recruitment and
15 retention benefits under pars. (b) and (c).

16 (3) **FEDERAL ARPA FUNDS.** Of the moneys the governor accepts from the federal
17 government under s. 16.54 pursuant to section 602 of the federal Social Security Act
18 as amended by the federal American Rescue Plan Act of 2021, P.L. 117-2, the
19 governor shall allocate all of the following:

20 (a) An amount sufficient to provide the additional compensation under subs.
21 (1) (b) and (2) (b) and the recruitment and retention benefits under subs. (1) (c) and
22 (2) (c) in calendar year 2022.

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1 (b) An amount sufficient to provide the additional compensation under subs.

2 (1) (b) and (2) (b) and the recruitment and retention benefits under subs. (1) (c) and

3 (2) (c) in calendar year 2023 and in subsequent years.

4 (END)