

1999 DRAFTING REQUEST

Bill

Received: **10/5/98**

Received By: **olsenje**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Caucutt**

This file may be shown to any legislator: **NO**

Drafter: **olsenje**

May Contact:

Alt. Drafters:

Subject: **Criminal Law - law enforcement**

Extra Copies: **JTK**

Topic:

DOA:.....Caucutt - OJA gifts, grants and bequests appropriation

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	olsenje 10/7/98	gilfokm 10/7/98	ismith 10/8/98	_____	lrb_docadmin 10/8/98		State
/P2	olsenje 10/27/98	ptellez 10/27/98	jfrantze 10/28/98	_____	lrb_docadmin 10/28/98		State
/1	olsenje 12/1/98	ygeller 12/1/98	lpaasch 12/1/98	_____	lrb_docadmin 12/1/98		State
/2	olsenje 01/18/99	gilfokm 01/18/99	lpaasch 01/19/99	_____	lrb_docadmin 01/19/99		State

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/1	olsenje 12/1/98	jgeller 12/1/98	lpaasch 12/1/98	_____	lrb_docadmin 12/1/98		State

FE Sent For:

*12-1-18-99
kmq*

*1-19
LP*

*1-19 LP
cmh
<END>*

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12/1/98 12/1/98
~~IS~~
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For: **Administration**

By/Representing: **Paul McMahon**

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FE Sent For:

gilfokm

JG/KM
<END>
10/28

*Submit
Re-drafts*

1999 DRAFTING REQUEST

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Wanted: **As time permits**

Identical to LRB:

For: **Administration**

By/Representing: **Paul McMahan**

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1?	olsenje	<i>/p1-10-7 king</i>	<i>IS 10/8</i>	<i>IS/KM 10/8</i>	<i>(Lyes)</i>		

FE Sent For:

<END>

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin




Mailing Address:
Post Office Box 7864
Madison, WI 53707-7864

TOMMY G. THOMPSON
GOVERNOR
JAMES R. KLAUSER
SECRETARY

0454

Date: September 14, 1998

To: Mr. Peter J. Dykman
Legislative Reference Bureau
100 N. Hamilton Street

From: Paul McMahon, Director 
Bureau of Financial Management
Division of Administrative Services/DOA
101 E. Wilson St.

Subject: Drafting of Agency Items for 1999-2001 Budget Bill

Attached are the proposals the department will be advancing to the Governor for consideration in the next budget bill. I have attached a summary, followed by one-page drafting information w/attachments as referenced.

Please return drafts to my attention, 9th floor, St. Administration Bldg. via Inter-D mail, or electronically if you prefer: paul.mcmahon@DOA.state.wi.us

attachments

cc: George Lightbourn, Deputy Secretary
Ed Main, Legal Counsel

JRL

**Department of Administration (agency) Drafting Request
to the Legislative Reference Bureau**

➔ Draft for Possible 99-01 Budget Bill Introduction (*Agency DI No: NA*)

Draft for Possible Introduction as Department-sponsored or Independent Bill

<p>Subject: Create a generic PR-S appropriation under 20.505(6) for the receipt of gifts, grants.</p> <p>Request Date: September 14, 1998</p> <p>Reviewed by:</p> <p>Contact Name in DOA for Drafter: Tara Brunner - Agency budget staff (6-0016)</p>

Brief Description of Intent:

Under DOA Program 6 (Chapter 20), which governs appropriations for the Office of Justice Assistance, there is no general appropriation language that permits OJA to receive gifts and grants other than those specifically provided under 20.505(6)(g) through (pc). OJA is requesting a generic appropriation to cover other possible gifts/grants received for program designation and purposes.

Suggested language:

20.505(6)(i) is created to read: *bequests.*
(i) Gifts, grants and ~~donations~~. Except as provided under (6)(c) through (pc), all other moneys received from gifts, grants, bequests and devises, to carry out the purposes for which made and received.

Related Stat. Citations

None.

➔ Additional material(s) are attached

20.144(1)(h)

(h) Gifts, grants, settlements and publications. All moneys received from gifts, grants, bequests, forfeitures under s. 426.203, and settlements for the purposes for which made or received and all moneys received by the department as fees or other charges for photocopying, microfilm copying, generation of copies of documents from optical disk storage, sales of books and other services provided in carrying out the functions of the department, for the purposes for which the moneys were received or collected.

20.433(1)(i)

(i) Gifts and grants. All moneys received as contributions, gifts, grants and bequests, other than moneys received for the children's trust fund and deposited in the appropriation accounts under pars. (q) and (r), to carry out the purposes for which made and received.

20.505(4)(gm)

(gm) Gifts and grants. All moneys received from gifts, grants or bequests by any division, commission, board or council, other than the women's council, attached to the department of administration, to be used for the purposes for which made and received.

20.907(1)

(1) Acceptance and investment. Unless otherwise provided by law, all gifts, grants, bequests and devises to the state or to any state agency for the benefit or advantage of the state, whether made to trustees or otherwise, shall be legal and valid when approved by the joint committee on finance and shall be executed and enforced according to the provisions of the instrument making the same, including all provisions and directions in any such instrument for accumulation of the income of any fund or rents and profits of any real estate without being subject to the limitations and restrictions provided by law in other cases; but no such accumulation shall be allowed to produce a fund more than 20 times as great as that originally given. When such gifts, grants, bequests or devises include common stocks or other investments which are not authorized by s. 881.01, such common stocks or other investments may be held and may be exchanged, invested or reinvested in similar types of investments without being subject to the limitations provided by law in other cases.

20.907(2)

(2) Custody and accounting. The state treasurer shall have custody of all such gifts, grants, bequests and devises in the form of cash or securities. The department of administration shall keep a separate account for each state agency receiving such gifts, grants, bequests and devises, including therein investments, accumulations, payments and any other transaction pertaining to such moneys. If no state agency is designated by the donor to carry out the purposes of the conveyance, the joint committee on finance shall appoint a state agency to act as trustee.

20.907(3)

(3) Other statutes. Nothing contained in this section or s. 20.855 (6) (g) shall be deemed to abrogate any other statutes pertaining to gifts, grants, bequests and devises to specifically named state officers or agencies or to or for the use of the state.

20.245(3)(h)

(h) ***Gifts and grants.*** All moneys received from **gifts**, **grants** and **bequests**, **except** moneys that are otherwise specifically appropriated, for the historic preservation program under subch. II of ch. 44.

20.245(4)(h)

(h) ***Gifts and grants.*** All moneys received by the historical society from **gifts**, **grants** or **bequests**, **except** moneys that are otherwise specifically appropriated, for purposes related to executive and administrative services of the society.

20.505(1)(j)

(j) ***Gifts and donations.*** **Except** as provided in par. (jb), all moneys received from **gifts**, **grants**, **bequests** and devises, to carry out the purposes for which made and received.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0454/P1

JEO: *[Signature]*

See

Date editing 10/7

PRELIMINARY DRAFT — NOT READY FOR INTRODUCTION

1 *Don't Gen Cat* AN ACT ...; relating to: gifts, grants and bequests made to the office of justice
2 assistance and making an appropriation.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

(DOA)

The office of justice assistance (OJA) in the department of administration has various duties relating to the criminal and juvenile justice systems. OJA administers various federal criminal and juvenile justice programs, operates a statistical analysis center, cooperates with and assists state agencies and units of local government and public or private agencies relating to the criminal and juvenile justice system and advises the governor and legislature on issues relating to criminal and juvenile justice.

This bill allows OJA to receive and spend gifts, grants and bequests that are made to OJA but that are not covered under a specific appropriation account.

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:

3 SECTION 1. 20.505 (6) (i) of the statutes is created to read:

1 20.505 (6) (i) *Gifts, grants and bequests.* All moneys received from gifts, grants
2 and bequests, other than moneys received for and deposited in the appropriation
3 accounts under pars. (c) to (h)✓ and (k) to (pc)✓, to carry out the purposes for which made
4 and received.

 ***NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

5

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0454/P1

JEO:kmg:ijs

JTK
2

PRELIMINARY DRAFT — NOT READY FOR INTRODUCTION

- 1 **AN ACT ...; relating to: gifts, grants and bequests made to the office of justice**
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5

(END)

GPR; (C) not needed in xref



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0454/PA
JEO:kmg:ijs

Soon

7-Note

2-2
KSH

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gen cat.

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4 and received.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5

(END)

LRB-0454/P2 dn
JEO: Ksh

D-Note

This redraft eliminates an incorrect reference to s. 20.505 (b) (c), stats., which is a GPR appropriation, and thus does not include money received from gifts, grants or bequests.

JEO

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0454/P2dn
JEO:ksh:jf

October 27, 1998

This redraft eliminates an incorrect reference to s. 20.505 (6) (c), stats., which is a GPR appropriation and thus does not include money received from gifts, grants or bequests.

Jefren E. Olsen
Legislative Attorney
266-8906



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0454/P2
JEO:kmg&ksh:jf

Soon

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~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

WPD: Budget banner should appear here

do not gen. cat.

- 1 AN ACT ~~to create 20.505 (6) (i) of the statutes~~; relating to: gifts, grants and
- 2 bequests made to the office of justice assistance and making an appropriation.

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5

(END) ✓

Olsen, Jefren

From: Statz, Andrew [andrew.statz@doa.state.wi.us]
Sent: Saturday, January 16, 1999 3:00 PM
To: Olsen, Jefren
Cc: Miller, Steve
Subject: Misc. revisions

#0454/1 -- Please strike the reference to "bequests" in the title. Also, references to (g) and (h) must be updated to reflect changes in #1265 Distribution of penalty assessment. I imagine you could include this with revisions to 1265 that we just discussed.

*will be
done in
congrate*

#1413/2 -- Please strike "department of administration's" in the opening narrative (second sentence on page 1). This is a minor technicality.

#1268/1 -- Please revise line 2 on page 3 to read, "commitment proceedings under ch. 980 in any prosecutorial unit in this state as defined in 978.001(2).

Thanks as always.

Andrew J. Statz
State Budget Office
608-267-0370



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0454/1
JEO:kmg&ksh:lp

Seen

Step 9
2
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FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

DOA:.....Caucutt - OJA gifts, grants and bequests appropriation

do not gen.

and

1

AN ACT ...; relating to: gifts, grants and ~~bequests~~ made to the office of justice assistance and making an appropriation.

2

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^{comma stays} ~~and bequests~~ other than moneys received for and deposited in the appropriation
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6

(END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0454/2
JEO:kmg&ksh:lp

DOA:.....Caucutt – OJA gifts, grants and bequests appropriation

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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