

2001 DRAFTING REQUEST

Bill

Received: **11/01/2000**

Received By: **rryan**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 7-0370**

By/Representing: **Statz**

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

Drafter: **rryan**

May Contact:

Alt. Drafters:

Subject: **Justice - civil**

Extra Copies: **MGD**

Pre Topic:

DOA:.....Statz -

Topic:

Department of justice appropriation for court-ordered restitution to victims

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	rryan 11/09/2000	gilfokm 11/09/2000	pgreensl 11/10/2000	_____	lrb_docadmin 11/10/2000		State
/1	rryan 02/07/2001			_____			State
/2	rryan 02/16/2001	wjackson 02/16/2001	martykr 02/16/2001	_____	lrb_docadmin 02/16/2001		State

FE Sent For:

<END>

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1/2 WLj 2/16
KTC 2/16
RS 2/16

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1?	rryan	11/9 King	11/9 DG	11/10 DG/RS			

FE Sent For:

<END>

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

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY



Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: October 31, 2000

To: Steve Miller, LRB

From: Andrew J. Statz, DOA *AS*
267-0370

Subject: Budget draft request relating to DOJ's restitution appropriation

I am requesting statutory language be drafted for inclusion with the 2001-03 biennial budget bill.

The purpose of the appropriation under s. 20.455 (1)(hm) is to receive and distribute funds awarded to the Department of Justice (DOJ) by the court for restitution payments for cases involving medical assistance fraud, marketing and trade practices, anti-trust, and various environmental violations. The account is a PR continuing appropriation.

The requested statutory changes include:

1. Converting the appropriation to annual
2. Explicit language preventing DOJ from using a liability account to hold restitution funds
3. Expanding the appropriation to receive and disburse restitution for all cases handled by DOJ
4. Expanding the language to include restitution gained as a result of settlements.

Please call if you have any questions. Thank you.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0897/P1

RLR: King

DOA:.....Statz - department of justice appropriation for court-ordered restitution to victims

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

In 11/9/00
Soon

RMR
D-Note

Fy request sheet

1 AN ACT ^{DON'T GEN. CAT.} relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Current law appropriates to DOJ restitution amounts that courts order parties in lawsuits concerning various environmental, trade and marketing, antitrust, and public assistance violations to pay DOJ for disbursement to the victims of the violations.

This bill expands the appropriation to include restitution amounts paid to DOJ as a result of settlement agreements as well as court orders. The bill also eliminates the specification of types of lawsuits in which the restitution is appropriated so that any restitution paid to DOJ on behalf of victims is appropriated to DOJ for disbursement to the victims.

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:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0897/P1dn

RLR:...



Andrew Statz:

I did not include specific language preventing DOJ from using a liability account, because the bill appropriates all restitution amounts for victims, that DOJ receives and directs DOJ to spend the amounts received as disbursements to victims. DOJ cannot receive and spend restitution for victims outside the parameters of the appropriation.

Please contact me with any questions.

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0897/P1dn
RLR:kmg:pg

November 9, 2000

Andrew Statz:

I did not include specific language preventing DOJ from using a liability account, because the bill appropriates all restitution amounts, for victims, that DOJ receives and directs DOJ to spend the amounts received as disbursements to victims. DOJ cannot receive and spend restitution for victims outside the parameters of the appropriation.

Please contact me with any questions.

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.state.wi.us



DOA:.....Statz - Department of justice appropriation for court-ordered
restitution to victims

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

The redraft maker was
run due to an error in
the reconciliation process. No
substantive change was made
to the draft

RMR

1 AN ACT ...; relating to: the budget.

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STATE GOVERNMENT

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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:

2 SECTION 1. 20.455 (1) (hm) of the statutes is amended to read:

1 20.455 (1) (hm) *Restitution.* The amounts in the schedule for the purpose of
2 providing restitution for victims. All moneys received by the department to provide
3 restitution to victims ~~when ordered by the court as the result of prosecutions under~~
4 ~~s. 49.49 and chs. 100, 133, 281 to 285 and 289 to 299 and under a federal antitrust~~
5 ~~law for the purpose of providing restitution to victims of the violation when ordered~~
6 ~~by the court~~ under a court order or a settlement agreement shall be credited to this
7 appropriation.

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

8 INSERT 2-7

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0897/1dn
RLR:kmg:pg

Andrew Statz,

This draft reconciles LRB-0897 and LRB-2156. Both of these drafts should continue to appear in the compiled bill.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
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Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.state.wi.us

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

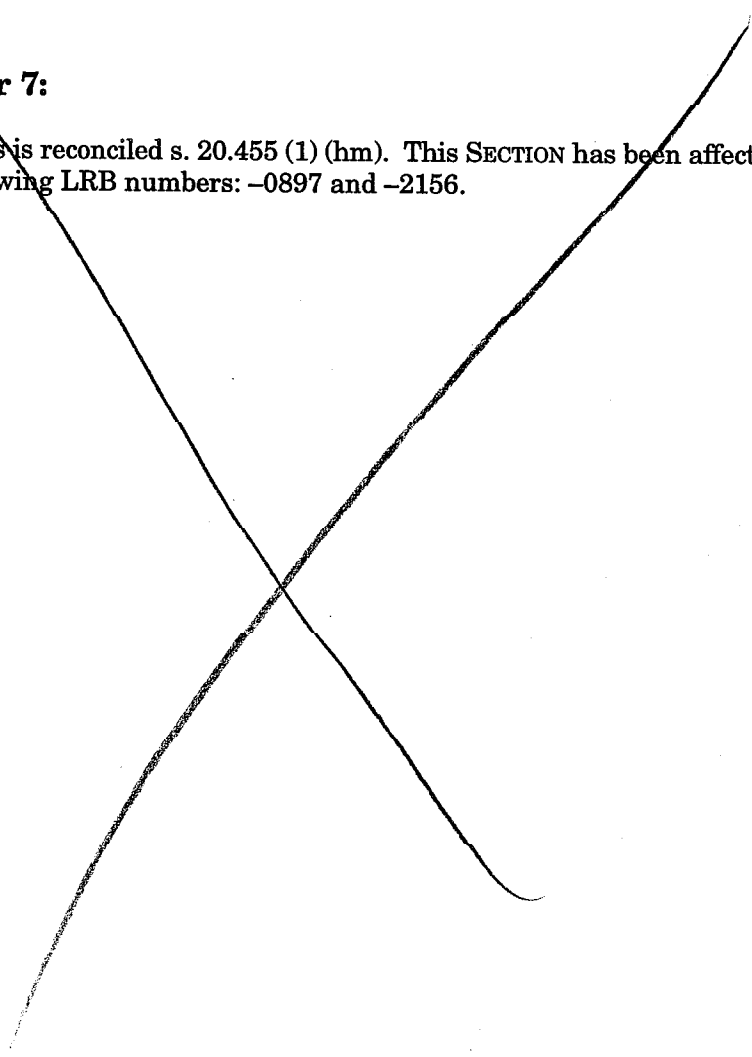
LRB-0897/lins
RLR::

1

2

Insert at 2 after 7:

***NOTE: This is reconciled s. 20.455 (1) (hm). This SECTION has been affected by drafts with the following LRB numbers: -0897 and -2156.



RMR
NL

DOA:.....Statz - Department of justice appropriation for court-ordered restitution to victims

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

In 2/16/02

D-Note

DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

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

LRB-0897/2dn

RLR:.....

wtj

Andrew



This redraft adds the word "account" after "appropriation" at the end of s. 20.455 (1) (hm) as amended by the bill.



Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0897/2dn
RLR:wlj:km

February 16, 2001

Andrew:

This redraft adds the word "account" after "appropriation" at the end of s. 20.455 (1) (hm), as amended by the bill.

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.state.wi.us



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0897/2
RLR:kmg&wlj:km

DOA:.....Statz - Department of justice appropriation for court-ordered
restitution to victims

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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