

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB27)

Received: 3/14/2013 Received By: chanaman
Wanted: As time permits Same as LRB:
For: Mike Kuglitsch (608) 267-5158 By/Representing: Matthew Spender
May Contact: Drafter: chanaman
Subject: State Govt - procurement Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Kuglitsch@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Alter maximum contingency fee; change finding for attorney general

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>
/?	chanaman 3/15/2013	kfollett 3/15/2013	rschluet 3/15/2013	_____			
/1				_____	lparisi 3/15/2013	lparisi 3/15/2013	

FE Sent For:

<END>

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FE Sent For:

<END>

Hanaman, Cathlene

From: Spencer, Matt
Sent: Thursday, March 14, 2013 4:16 PM
To: Hanaman, Cathlene
Subject: RE: Amendment for AB 27

Yes that is correct. It is somewhat of scale up to the top bracket.

Matthew Spencer
Office of Representative Mike Kuglitsch
(608) 267-5158

From: Hanaman, Cathlene
Sent: Thursday, March 14, 2013 12:45 PM
To: Spencer, Matt
Subject: RE: Amendment for AB 27

Matthew:

Could you explain the first one? I am not sure what it intends and I have to be able to explain an amendment. I assume that there is one recovery and the aggregate fee is singular and based on that one recovery. Are you saying that if the recovery is, say, 30 million, that the contract may provide a maximum of 25% of the first ten million, 20% of the next five, 15% of the next 5, 10% of the next 5, and 5% of the remainder (5 million)?

Sorry for bothering you but I want to be sure that the amendment does what you intend.

Thanks,
Cathlene

From: Spencer, Matt
Sent: Thursday, March 14, 2013 11:40 AM
To: Hanaman, Cathlene
Subject: Amendment for AB 27

Good Morning Cathlene,

Attached an amendment Rep. Kuglitsch would like drafted for Assembly Bill 27. If you have any questions feel free to call the office.

Regards,

Matthew Spencer
Office of Representative Mike Kuglitsch
(608) 267-5158

Amendment to AB 27/SB 19

(c) 1. No contract entered into under this subsection may provide an aggregate contingency fee that is more than any of the following:

- a. If the recovery is less than \$10 million, 25 percent of the recovery; plus
- b. If the recovery is at least \$10 million but less than \$15 million, 20 percent of the recovery; plus;
- c. If the recovery is at least \$15 million but less than \$20 million, 15 percent of the recovery; plus;
- d. If the recovery is at least \$20 million but less than \$25 million, 10 percent of the recovery; plus;
- e. If the recovery is at least \$25 million, 5 percent of the recovery.

Section 3:

(2) (a) The prohibition under sub. (1) does not apply if the governor makes a written determination that contracting for legal services for the state on a contingent fee basis is ~~cost-effective and in the public interest. In the written determination, the governor shall include~~ all of the following:

1. A finding that ~~there are sufficient and appropriate legal and financial resources in the~~ attorney general's office lacks sufficient and appropriate legal and financial resources necessitating the need to contract for the legal services.



1
KF

Today or Monday if possible (per requester)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 27

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 3: delete the material beginning with "there are" and ending
3 with "resources in" on line 4.

4 **2.** Page 3, line 4: after "office" insert "lacks sufficient and appropriate legal and
5 financial resources, which necessitates the need".

6 **3.** Page 3, line 18: delete lines 18 to 24 and substitute:

7 "b. If the recovery is at least \$10 million but less than \$15 million, the sum of
8 \$2,500,000 and 20 percent of the amount by which the recovery exceeds \$10 million.

9 c. If the recovery is at least \$15 million but less than \$20 million, the sum of
10 \$3,500,000 and 15 percent of the amount by which the recovery exceeds \$15 million.

11 d. If the recovery is at least \$20 million but less than \$25 million, the sum of
12 \$4,250,000 and 10 percent of the amount by which the recovery exceeds \$20 million.

Editor -
left
'million'
since
the
bill
was
done
this
way.

