

2015 DRAFTING REQUEST

Bill

Received: **9/3/2015** Received By: **jkreye**
For: **Dave Hansen (608) 266-5670** Same as LRB:
May Contact: By/Representing: **jay**
Subject: **State Govt - miscellaneous** Drafter: **jkreye**
Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Hansen@legis.wisconsin.gov**
Carbon copy (CC) to: **joseph.kreye@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Reporting WEDC-related waste, fraud, and abuse

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	jkreye 9/10/2015	jdyer 9/9/2015	_____	sbasford 9/9/2015		State
/P2	jkreye 10/15/2015	jdyer 9/10/2015	_____	sbasford 9/10/2015		State
/P3	jkreye 2/10/2016	jdyer 10/15/2015	_____	mbarman 10/15/2015		State
/P4	mkunkel	jdyer	_____	mbarman		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	2/17/2016	2/10/2016	_____	2/10/2016		
		jdye 2/17/2016	_____	sbasford 2/17/2016	sbasford 2/17/2016	State

FE Sent For:

at intro
3/3/16

<END>

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Please Jacket

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/P3	jkreye 2/10/2016	jdyer 10/15/2015	_____	mbarman 10/15/2015		State
/P4		jdyer	_____	mbarman		State

Vers. Drafted

Reviewed
2/10/2016

Proofed

Submitted
2/10/2016

Jacketed

Required

FE Sent For:

<END>

Kreye, Joseph

From: Gallagher, Michael
Sent: Thursday, September 03, 2015 11:25 AM
To: Kreye, Joseph
Subject: RE: Drafting Question

Joe, looks like it's all yours. Let me know if I can be of assistance.

From: Champagne, Rick
Sent: Thursday, September 03, 2015 11:23 AM
To: Wadd, Jay <Jay.Wadd@legis.wisconsin.gov>
Cc: Kreye, Joseph <Joseph.Kreye@legis.wisconsin.gov>; Gallagher, Michael <Michael.Gallagher@legis.wisconsin.gov>
Subject: RE: Drafting Question

Got it Jay. I will pass onto Joe Kreye and Mike Gallagher.

From: Wadd, Jay
Sent: Thursday, September 03, 2015 11:09 AM
To: Champagne, Rick <Rick.Champagne@legis.wisconsin.gov>
Subject: Drafting Question

Hi, Rick,

Not sure who I should make this request to, but we would like to draft a bill that creates a WEDC Waste Fraud and Abuse hotline in the GAB with sum sufficient funding to GAB to respond to any calls.

Thanks,

Jay



jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in Tuesday 9-8

due used 9-9

X

Gen

1 **AN ACT ...; relating to:** reporting fraud, waste, and mismanagement regarding
2 the Wisconsin Economic Development Corporation and making an
3 appropriation.✓

Analysis by the Legislative Reference Bureau

This bill requires the Government Accountability Board to maintain a toll-free telephone number to receive reports of fraud, waste, and mismanagement regarding the Wisconsin Economic Development Corporation. The board may relay such reports to the Department of Justice (DOJ) for further investigation. If DOJ conducts an investigation based on a call to the toll-free number, DOJ must submit a report of its investigation to the board and to the legislature. ✓

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:

4 **SECTION 1.** 20.511 (1) (bg) of the statutes is created to read:
5 20.511 (1) (bg) *Fraud, waste, and mismanagement hotline.* A sum sufficient
6 to maintain the toll-free telephone number under s. 5.05 (16) and to respond to calls
7 made to that number.

*INSERT J
(move from p 2)*

INSERT J
(move to p.1)

1
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SECTION 2. 5.05 (16) of the statutes is created to read:

5.05 (16) The board shall maintain a toll-free telephone number with voice mail to receive reports of fraud, waste, and mismanagement regarding the Wisconsin Economic Development Corporation. The board may relay these reports to the department of justice for investigation. If so relayed, the department of justice shall conduct the investigation and, in a timely manner, submit a report to the board and to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2). The board shall publicize the toll-free telephone number on the board's Internet site. The board shall maintain records that permit the release of information provided by informants while protecting the identity of the informant. Any records maintained by the board that relate to the identity of informants shall be confidential, unless the informant expressly agrees to release the records. Appearance in court as a witness shall not be considered consent by an informant to release confidential records maintained by the board.

(END)

TOLL-FREE TELEPHONE NUMBER CS

Kreye, Joseph

From: Wadd, Jay
Sent: Wednesday, September 09, 2015 2:48 PM
To: Kreye, Joseph
Subject: RE: LRB-3134

Let's go that route then. Thanks, Joe.

From: Kreye, Joseph
Sent: Wednesday, September 09, 2015 2:47 PM
To: Wadd, Jay <Jay.Wadd@legis.wisconsin.gov>
Subject: RE: LRB-3134

Yes sir.

Joseph T. Kreye
Legal Services Manager
Legislative Reference Bureau
608 266-2263

From: Wadd, Jay
Sent: Wednesday, September 09, 2015 2:46 PM
To: Kreye, Joseph <Joseph.Kreye@legis.wisconsin.gov>
Subject: RE: LRB-3134

Is that how they do it with violations of campaign law?

From: Kreye, Joseph
Sent: Wednesday, September 09, 2015 2:45 PM
To: Wadd, Jay <Jay.Wadd@legis.wisconsin.gov>
Subject: RE: LRB-3134

Hi Jay,

Do you want them referred to the DA of the county where the alleged activity occurred?

Joe

Joseph T. Kreye
Legal Services Manager
Legislative Reference Bureau
608 266-2263

From: Wadd, Jay
Sent: Wednesday, September 09, 2015 1:42 PM
To: Kreye, Joseph <Joseph.Kreye@legis.wisconsin.gov>
Subject: LRB-3134

Hi, Joe,

Just got the draft back on the WEDC fraud and abuse hotline. Looks good but rather than GAB referring complaints to DOJ we would prefer they be referred to the DA.

Thanks,

Jay



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3134/P1
JK:jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

district attorney of the
county where the alleged activity occurred
✓
Today
9/10
Regen

4

1 **AN ACT to create** 5.05 (16) and 20.511 (1) (bg) of the statutes; **relating to:**
2 reporting fraud, waste, and mismanagement regarding the Wisconsin
3 Economic Development Corporation and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Government Accountability Board to maintain a toll-free telephone number to receive reports of fraud, waste, and mismanagement regarding the Wisconsin Economic Development Corporation. The board may relay such reports to the Department of Justice (DOJ) for further investigation. If DOJ conducts an investigation based on a call to the toll-free telephone number, DOJ must submit a report of its investigation to the board and to the legislature.

the district attorney

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:

4 **SECTION 1.** 5.05 (16) of the statutes is created to read:
5 5.05 (16) TOLL-FREE TELEPHONE NUMBER. The board shall maintain a toll-free
6 telephone number with voice mail to receive reports of fraud, waste, and

SECTION 1

district attorney of the county where the alleged activity occurred

1 mismanagement regarding the Wisconsin Economic Development Corporation. The
2 board may relay these reports to the department of justice for investigation. If so
3 relayed, the department of justice shall conduct the investigation and, in a timely
4 manner, submit a report to the board and to the chief clerk of each house of the
5 legislature for distribution to the legislature under s. 13.172 (2). The board shall
6 publicize the toll-free telephone number on the board's Internet site. The board shall
7 maintain records that permit the release of information provided by informants
8 while protecting the identity of the informant. Any records maintained by the board
9 that relate to the identity of informants shall be confidential, unless the informant
10 expressly agrees to release the records. Appearance in court as a witness shall not
11 be considered consent by an informant to release confidential records maintained by
12 the board.

13 **SECTION 2.** 20.511 (1) (bg) of the statutes is created to read:

14 20.511 (1) (bg) *Fraud, waste, and mismanagement hotline.* A sum sufficient
15 to maintain the toll-free telephone number under s. 5.05 (16) and to respond to calls
16 made to that number.

17 (END)

Kreye, Joseph

From: Wadd, Jay
Sent: Wednesday, October 14, 2015 12:25 PM
To: Kreye, Joseph
Subject: RE: LRB-3134/P2

What if we say the GAB shall forward all tips/complaints that the GAB finds credible?

From: Kreye, Joseph
Sent: Friday, October 09, 2015 2:00 PM
To: Wadd, Jay <Jay.Wadd@legis.wisconsin.gov>
Subject: RE: LRB-3134/P2

Yes.

Joseph T. Kreye
Legal Services Manager
Legislative Reference Bureau
608 266-2263

From: Wadd, Jay
Sent: Friday, October 09, 2015 1:58 PM
To: Kreye, Joseph <Joseph.Kreye@legis.wisconsin.gov>
Subject: RE: LRB-3134/P2

If we went with "shall" would that require them to forward any tip or complaint regardless of how trivial or unreliable it might be?

From: Kreye, Joseph
Sent: Friday, October 09, 2015 1:57 PM
To: Wadd, Jay <Jay.Wadd@legis.wisconsin.gov>
Subject: RE: LRB-3134/P2

I think the idea is that GAB would have some discretion to not refer trivial concerns to the DA, but if you want it to be "shall" that works for me.

Joseph T. Kreye
Legal Services Manager
Legislative Reference Bureau
608 266-2263

From: Wadd, Jay
Sent: Friday, October 09, 2015 1:47 PM
To: Kreye, Joseph <Joseph.Kreye@legis.wisconsin.gov>
Subject: LRB-3134/P2

Hi, Joe,

Have a question for you. Page 2 line 2 the "board may relay these reports to the district attorney..."

Is there a reason the word "may" was used as opposed to "shall?"

Thanks,

Jay



P3

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

due Friday
10-16

4
Regen

1 **AN ACT to create** 5.05 (16) and 20.511 (1) (bg) of the statutes; **relating to:**
2 reporting fraud, waste, and mismanagement regarding the Wisconsin
3 Economic Development Corporation and making an appropriation.

Analysis by the Legislative Reference Bureau

if the board finds the reports credible

This bill requires the Government Accountability Board to maintain a toll-free telephone number to receive reports of fraud, waste, and mismanagement regarding the Wisconsin Economic Development Corporation. The board may relay such reports to the district attorney of the county where the alleged activity occurred for further investigation. If the district attorney conducts an investigation based on a call to the toll-free telephone number, the district attorney must submit a report of its investigation to the board and to the legislature.

must

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:

4 **SECTION 1.** 5.05 (16) of the statutes is created to read:
5 5.05 (16) TOLL-FREE TELEPHONE NUMBER. The board shall maintain a toll-free
6 telephone number with voice mail to receive reports of fraud, waste, and

*shall**, if the board finds the reports credible*

1 mismanagement regarding the Wisconsin Economic Development Corporation. The
2 board ~~may~~ relay these reports to the district attorney of the county where the alleged
3 activity occurred for investigation. If so relayed, the district attorney shall conduct
4 the investigation and, in a timely manner, submit a report to the board and to the
5 chief clerk of each house of the legislature for distribution to the legislature under
6 s. 13.172 (2). The board shall publicize the toll-free telephone number on the board's
7 Internet site. The board shall maintain records that permit the release of
8 information provided by informants while protecting the identity of the informant.
9 Any records maintained by the board that relate to the identity of informants shall
10 be confidential, unless the informant expressly agrees to release the records.
11 Appearance in court as a witness shall not be considered consent by an informant to
12 release confidential records maintained by the board.

13 **SECTION 2.** 20.511 (1) (bg) of the statutes is created to read:

14 20.511 (1) (bg) *Fraud, waste, and mismanagement hotline.* A sum sufficient
15 to maintain the toll-free telephone number under s. 5.05 (16) and to respond to calls
16 made to that number.

17 (END)

Kreye, Joseph

From: Hurley, Peggy
Sent: Monday, February 08, 2016 3:26 PM
To: Kreye, Joseph
Subject: FW: Question: LRB Draft

From: Wadd, Jay

Hi Joe,

Senator Hansen would like this change to 15-3145.



15-3134_P3
(1).pdf

To: Hurley, Peggy <Peggy.Hurley@legis.wisconsin.gov>
Subject: Question: LRB Draft

Hi, Peggy,

I haven't been able to find the LRB # but I need to make a change to a bill we had drafted that would create a WEDC waste fraud and abuse hotline that was connected to the GAB.

Is it possible to find that draft and then re-draft it so the line goes to the ethics division of whatever it was that was just created when they voted to get rid of GAB?

Thanks,

Jay



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Today
2-10

Regen

ethics Commission

4

1 AN ACT to create 5.05 (16) and 20.511 (1) (bg) of the statutes; relating to:
2 reporting fraud, waste, and mismanagement regarding the Wisconsin
3 Economic Development Corporation and making an appropriation.

Analysis by the Legislative Reference Bureau

commission

This bill requires the Government Accountability Board to maintain a toll-free telephone number to receive reports of fraud, waste, and mismanagement regarding the Wisconsin Economic Development Corporation. The board must relay such reports to the district attorney of the county where the alleged activity occurred for further investigation, if the board finds the reports credible. If the district attorney conducts an investigation based on a call to the toll-free telephone number, the district attorney must submit a report of its investigation to the board and to the legislature.

commission

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:

4

SECTION 1. 5.05 ~~(16)~~ ⁽¹⁸⁾ of the statutes is created to read:

commission

5

5.05 ~~(16)~~ ⁽¹⁸⁾ TOLL-FREE TELEPHONE NUMBER. The board shall maintain a toll-free

6

telephone number with voice mail to receive reports of fraud, waste, and

commission

commission

(3x)

1 mismanagement regarding the Wisconsin Economic Development Corporation. The
 2 board shall relay these reports to the district attorney of the county where the alleged
 3 activity occurred for investigation, if the board finds the reports credible. If so
 4 relayed, the district attorney shall conduct the investigation and, in a timely manner,
 5 submit a report to the board and to the chief clerk of each house of the legislature for
 6 distribution to the legislature under s. 13.172 (2). The board shall publicize the
 7 toll-free telephone number on the board's Internet site. The board shall maintain
 8 records that permit the release of information provided by informants while
 9 protecting the identity of the informant. Any records maintained by the board that
 10 relate to the identity of informants shall be confidential, unless the informant
 11 expressly agrees to release the records. Appearance in court as a witness shall not
 12 be considered consent by an informant to release confidential records maintained by
 13 the board.

SECTION 2. 20.511 (1) (bg) of the statutes is created to read:

15 20.511 (1) (bg) *Fraud, waste, and mismanagement hotline*. A sum sufficient
 16 to maintain the toll-free telephone number under s. 5.05 ~~(1)(b)~~ and to respond to calls
 17 made to that number.

(END)

(18)

commission

(4x)

Sec# Effective date.

(#) This act takes effect on June 30, 2016. ✓

Parisi, Lori

From: Sen.Hansen
Sent: Wednesday, February 17, 2016 9:08 AM
To: Parisi, Lori
Subject: FW: Draft review: LRB -3134/P4
Attachments: 15-3134/P4.pdf

Hi Lori,
Here is the draft we were looking to jacket.

Thanks,

John Wagnitz
Office of State Senator Dave Hansen
106 South, State Capitol
phone: (608) 266-5670

From: Sen.Hansen
Sent: Wednesday, February 17, 2016 9:04 AM
To: Kreye, Joseph <Joseph.Kreye@legis.wisconsin.gov>
Subject: FW: Draft review: LRB -3134/P4

Hi Joe,

Per my phone message, please jacket LRB-3134/P4 for Senator Hansen.

Thanks,

John Wagnitz
Office of State Senator Dave Hansen
106 South, State Capitol
phone: (608) 266-5670

From: LRB.Legal
Sent: Wednesday, February 10, 2016 11:35 AM
To: Sen.Hansen <Sen.Hansen@legis.wisconsin.gov>
Subject: Draft review: LRB -3134/P4

Following is the PDF version of draft LRB -3134/P4.



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3134/P4
JK:jld

1

now

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

RM
has
been
RM

LX

Regen

1 AN ACT *to create* 5.05 (18) and 20.511 (1) (bg) of the statutes; **relating to:**
2 reporting fraud, waste, and mismanagement regarding the Wisconsin
3 Economic Development Corporation and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Ethics Commission to maintain a toll-free telephone number to receive reports of fraud, waste, and mismanagement regarding the Wisconsin Economic Development Corporation. The commission must relay such reports to the district attorney of the county where the alleged activity occurred for further investigation, if the commission finds the reports credible. If the district attorney conducts an investigation based on a call to the toll-free telephone number, the district attorney must submit a report of its investigation to the commission and to the legislature.

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:

4 SECTION 1. 5.05 (18) of the statutes is created to read:
5 5.05 (18) TOLL-FREE TELEPHONE NUMBER. The commission shall maintain a
6 toll-free telephone number with voice mail to receive reports of fraud, waste, and

1 mismanagement regarding the Wisconsin Economic Development Corporation. The
2 commission shall relay these reports to the district attorney of the county where the
3 alleged activity occurred for investigation, if the commission finds the reports
4 credible. If so relayed, the district attorney shall conduct the investigation and, in
5 a timely manner, submit a report to the commission and to the chief clerk of each
6 house of the legislature for distribution to the legislature under s. 13.172 (2). The
7 commission shall publicize the toll-free telephone number on the commission's
8 Internet site. The commission shall maintain records that permit the release of
9 information provided by informants while protecting the identity of the informant.
10 Any records maintained by the commission that relate to the identity of informants
11 shall be confidential, unless the informant expressly agrees to release the records.
12 Appearance in court as a witness shall not be considered consent by an informant to
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14 **SECTION 2.** 20.511 (1) (bg) of the statutes is created to read:

15 20.511 (1) (bg) *Fraud, waste, and mismanagement hotline.* A sum sufficient
16 to maintain the toll-free telephone number under s. 5.05 (18) and to respond to calls
17 made to that number.

18 **SECTION 3. Effective date.**

19 (1) This act takes effect on June 30, 2016.

20 (END)