

2019 DRAFTING REQUEST

Bill

For: **Administration-Budget 267-0370** Drafter: **mjohns**
 By: **Schmidt** Secondary Drafters:
 Date: **1/22/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email:
 Carbon copy (CC) to: **doasbostatlanguage@wisconsin.gov**
Melinda.Johns@legis.wisconsin.gov
Elizabeth.Wheeler@legis.wisconsin.gov

Pre Topic:

DOA:.....Schmidt, BB0211 -

Topic:

DOJ Settlement Funds

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mjohns 1/24/2019	anienaja 1/25/2019			
/P1	mjohns 2/1/2019	anienaja 2/1/2019	mbarman 1/25/2019		
/P2	mjohns 2/19/2019	ccarmich 2/19/2019	lparisi 2/1/2019		
/P3	mjohns 2/21/2019	kmochal 2/21/2019	jmurphy 2/19/2019		

Johns, Melinda

From: Hanaman, Cathlene
Sent: Tuesday, January 22, 2019 8:20 AM
To: Johns, Melinda; Wheeler, Elizabeth
Subject: FW: Statutory Language Drafting Request - 2019-21

From: Schmidt, Michael - DOA <Michael2.Schmidt@wisconsin.gov>
Sent: Friday, January 18, 2019 5:34 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Potts, Andrew - DOA <Andrew.Potts@wisconsin.gov>; Schmidt, Michael - DOA <Michael2.Schmidt@wisconsin.gov>
Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: DOJ Settlement Funds

Tracking Code: BB0211

SBO Team: AEJ

SBO Analyst: Schmidt, Michael
Phone: 608-267-0370
E-mail: michael2.schmidt@wisconsin.gov

Agency Acronym: 455

Agency Number: 455

Priority: Medium

Intent:

Create a "continuing" settlement funds appropriation in ch. 20 for DOJ to carry out the purposes for which a settlement was received. Repeal s. 165.10. Modify 20.455(2)(gb) and 20.455(3)(g) language to reflect "continuing" appropriations instead of "annual."

Attachments: False

Please send completed drafts to SBOSatlanguage@spmail.enterprise.wistate.us



State of Wisconsin
2019 - 2020 LEGISLATURE

DUE 1/25/19

LRB-14847 P/101
MLJ:... am

DOA:.....Schmidt, BB0211 - DOJ Settlement Funds

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

SA
XRF
Pwf

No gen.

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

Analysis by the Legislative Reference Bureau

JUSTICE

This bill creates an appropriation in which all moneys received from settlement funds must be deposited, to carry out the purposes for which the settlement was received.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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

3 *20.455 (2) (gb) *Gifts and grants.* ~~The amounts in the schedule to carry out the~~
4 ~~purposes for which gifts and grants are made and received.~~ All moneys received from
5 gifts and grants, other than moneys received for and credited to another
6 appropriation account under this subsection, shall be credited to this appropriation
7 account to carry out the purposes for which gifts and grants are made and received.

note: bud →

1 SECTION 2. 20.455 (3) (g) of the statutes is amended to read:

2 ~~20.455 (3) (g) Gifts, grants and proceeds. The amounts in the schedule to carry~~
 3 ~~out the purposes for which gifts and grants are made and collected. All moneys~~
 4 ~~received from gifts and grants and all proceeds from services, conferences, and sales~~
 5 ~~of publications and promotional materials, except as provided in sub. (2) (gm) and~~
 6 ~~(gp) and to transfer to s. 20.505 (1) (kg), at the discretion of the attorney general, an~~
 7 ~~amount not to exceed \$98,300 annually, shall be credited to this appropriation~~
 8 ~~account to carry out the purposes for which gifts and grants are made and received.~~

Note:
bud

9 SECTION 3. 20.455 (3) (h) of the statutes is created to read:

10 ~~20.455 (3) (h) Settlements. All moneys received from settlement funds shall be~~
 11 ~~credited to this appropriation~~ ^{account} ~~to carry out the purposes for which the settlement was~~
 12 ~~received.~~

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

13 SECTION 4. 165.10 of the statutes is repealed.

14 (END)



State of Wisconsin
2019 - 2020 LEGISLATURE

in: 2/1/2019

LRB-1484/P1
MLJ:amn

DOA:.....Schmidt, BB0211 - DOJ Settlement Funds

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

INSERT

No gen.

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

Analysis by the Legislative Reference Bureau

JUSTICE

This bill creates ^{two} an appropriation in which all moneys received from settlement funds must be deposited, to carry out the purposes for which the settlement was received. ^{Insert A}

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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

3 20.455 (2) (gb) *Gifts and grants.* The amounts in the schedule to carry out the
4 purposes for which gifts and grants are made and received. All moneys received from
5 gifts and grants, other than moneys received for and credited to another
6 appropriation account under this subsection, shall be credited to this appropriation
7 account to carry out the purposes for which gifts and grants are made and received.

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

1 SECTION 2. 20.455 (3) (g) of the statutes is amended to read:

2 20.455 (3) (g) *Gifts, grants and proceeds.* ~~The amounts in the schedule to carry~~
3 ~~out the purposes for which gifts and grants are made and collected.~~ All moneys
4 received from gifts and grants and all proceeds from services, conferences, and sales
5 of publications and promotional materials to carry out the purposes for which gifts
6 and grants are made, received, or collected, except as provided in sub. (2) (gm) and
7 (gp) and to transfer to s. 20.505 (1) (kg), at the discretion of the attorney general, an
8 amount not to exceed \$98,300 annually, ~~shall be credited to this appropriation~~
9 ~~account.~~

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

10 SECTION 3. 20.455 (3) (h) of the statutes is created to read:

11 20.455 (3) (h) *Settlements* ^{with a specified purpose} All moneys received from settlement funds ^{that have a purpose specified by the terms of the settlement} shall be
12 credited to this appropriation account to carry out the purposes for which the
13 settlement was received.

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

14 SECTION 4. 165.10 of the statutes is repealed.

(END)

INSERT 2-14
INSERT 2-15

2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1484/P2ins
MLJ...*am*

SA
Xef

1 INSERT A

or if no purpose was specified in the settlement, to be used at the discretion of the attorney general. The bill also requires DOJ to submit a semiannual report on the receipt and use of settlement funds.

2 INSERT 2-14

3 SECTION 1. 20.455 (3) (i) of the statutes is created to read:

4 ~~20.455 (3) (i)~~ *Settlements without a specified purpose.* All moneys received from
5 settlement funds that do not have a purpose specified by the terms of the settlement
6 shall be credited to this appropriation account to be used at the discretion of the
7 attorney general.

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

8 INSERT 2-15

9 SECTION 2. 165.25 (10g) of the statutes is created to read:

10 ~~165.25 (10g)~~ REPORT ON SETTLEMENT FUNDS. Semiannually submit a report to
11 the department of administration and the joint committee on finance regarding
12 money received by the department of justice under a settlement agreement. To the
13 extent permitted by the terms of each settlement agreement, the report shall specify
14 all of the following for each reporting period:

15 (a) The total amount of settlement funds received.

16 (b) The amount of settlement funds that are received that have a purpose
17 specified by the terms of the settlement.

18 (c) The amount of settlement funds that are received that do not have a purpose
19 specified by the terms of the settlement.

20 (d) The cases from which settlement funds are received.

- 1 (e) The purposes for which settlement funds are used.



State of Wisconsin
2019 - 2020 LEGISLATURE

IN: 2/19/19

LRB-1484/P2

MLJ:amn

J/P3
cdc

DOA:.....Schmidt, BB0211 - DOJ Settlement Funds

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

INSERT

sub: sub # Settlement funds

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

Analysis by the Legislative Reference Bureau

JUSTICE

This bill creates two appropriations in which all moneys received from settlement funds must be deposited, to carry out the purposes for which the settlement was received or, if no purpose was specified in the settlement, to be used at the discretion of the attorney general. The bill also requires DOJ to submit a semiannual report on the receipt and use of settlement funds.

INSERT A

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

INSERT 1-2

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

20.455 (2) (gb) *Gifts and grants.* ~~The amounts in the schedule to carry out the purposes for which gifts and grants are made and received.~~ All moneys received from gifts and grants, other than moneys received for and credited to another appropriation account under this subsection, shall be credited to this appropriation account to carry out the purposes for which gifts and grants are made and received.

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

1 **SECTION 2.** 20.455 (3) (g) of the statutes is amended to read:

2 20.455 (3) (g) *Gifts, grants and proceeds.* ~~The amounts in the schedule to carry~~
3 ~~out the purposes for which gifts and grants are made and collected.~~ All moneys
4 received from gifts and grants and all proceeds from services, conferences, and sales
5 of publications and promotional materials to carry out the purposes for which gifts
6 and grants are made, received, or collected, except as provided in sub. (2) (gm) and
7 (gp) and to transfer to s. 20.505 (1) (kg), at the discretion of the attorney general, an
8 amount not to exceed \$98,300 annually, ~~shall be credited to this appropriation~~
9 ~~account.~~

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

10 **SECTION 3.** 20.455 (3) (h) of the statutes is created to read:

11 20.455 (3) (h) *Settlements with a specified purpose.* All moneys received from
12 settlement funds that have a purpose specified by the terms of the settlement shall
13 be credited to this appropriation account to carry out the purposes for which the
14 settlement was received.

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

15 **SECTION 4.** 20.455 (3) (i) of the statutes is created to read:

16 20.455 (3) (i) *Settlements without a specified purpose.* All moneys received from
17 settlement funds that do not have a purpose specified by the terms of the settlement
18 shall be credited to this appropriation account to be used at the discretion of the
19 attorney general.

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

20 **SECTION 5.** 165.10 of the statutes is repealed.

1 **SECTION 6.** 165.25 (10g) of the statutes is created to read:

2 **165.25 (10g) REPORT ON SETTLEMENT FUNDS.** Semiannually submit a report to
3 the department of administration and the joint committee on finance regarding
4 money received by the department of justice under a settlement agreement. To the
5 extent permitted by the terms of each settlement agreement, the report shall specify
6 all of the following for each reporting period:

- 7 (a) The total amount of settlement funds received.
- 8 (b) The amount of settlement funds received that have a purpose specified by
9 the terms of the settlement.
- 10 (c) The amount of settlement funds received that do not have a purpose
11 specified by the terms of the settlement.
- 12 (d) The cases from which settlement funds are received.
- 13 (e) The purposes for which settlement funds are used.

NSJRT 3-13

h

13

14

(END)

2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1484/P3ins
MLJ:...

1 INSERT 1-2

2 SECTION 1. 20.455 (1) (hn) of the statutes is created to read:

3 20.455 (1) (hn) *Payments to relators*. All moneys received by the department
4 that are owed to a relator, to provide payments owed to a relator.

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

5 INSERT 3-14 ³

6 , and the amounts expended for each purpose.

INSERT A

DOJ
This bill also creates an appropriation ~~account~~ to hold all money received by ~~the department~~ that is owed to a relator, to provide payments to relators. A relator is a type of party in a lawsuit.

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

LRB-1484/P4dn

MLJ: *plan*

- Date -

This draft reconciles LRB-1484/P3 and LRB-2081/P1^g by deleting from LRB-2081/P2 the creation of s. 20.455 (3) (i), which appears identically in LRB-1485/P4. Both of these drafts should continue to appear in the compiled bill.

~~new appears in~~
new appears in
1484/P4



DOA:.....Schmidt, BB0211 - DOJ Settlement Funds

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

INSERT

D-NOTE

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

Analysis by the Legislative Reference Bureau

JUSTICE

1. Settlement funds

This bill creates two appropriations in which all moneys received from settlement funds must be deposited to carry out the purposes for which the settlement was received or, if no purpose was specified in the settlement, to be used at the discretion of the attorney general. The bill also requires DOJ to submit to DOA and JCF a semiannual report on the receipt and use of settlement funds.

The bill also creates an appropriation to hold all money received by DOJ that is owed to a relator, to provide payments to relators. A relator is a type of party in a lawsuit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 20.455 (1) (hn) of the statutes is created to read:

3 20.455 (1) (hn) *Payments to relators.* All moneys received by the department
4 that are owed to a relator, to provide payments owed to a relator.

SECTION 1

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

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

2 20.455 (2) (gb) *Gifts and grants.* ~~The amounts in the schedule to carry out the~~
3 ~~purposes for which gifts and grants are made and received.~~ All moneys received from
4 gifts and grants, other than moneys received for and credited to another
5 appropriation account under this subsection, ~~shall be credited to this appropriation~~
6 ~~account to carry out the purposes for which gifts and grants are made and received.~~

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

7 **SECTION 3.** 20.455 (3) (g) of the statutes is amended to read:

8 20.455 (3) (g) *Gifts, grants and proceeds.* ~~The amounts in the schedule to carry~~
9 ~~out the purposes for which gifts and grants are made and collected.~~ All moneys
10 received from gifts and grants and all proceeds from services, conferences, and sales
11 of publications and promotional materials to carry out the purposes for which gifts
12 and grants are made, received, or collected, except as provided in sub. (2) (gm) and
13 (gp) and to transfer to s. 20.505 (1) (kg), at the discretion of the attorney general, an
14 amount not to exceed \$98,300 annually, ~~shall be credited to this appropriation~~
15 ~~account.~~

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

16 **SECTION 4.** 20.455 (3) (h) of the statutes is created to read:

17 20.455 (3) (h) *Settlements with a specified purpose.* All moneys received from
18 settlement funds that have a purpose specified by the terms of the settlement shall
19 be credited to this appropriation account to carry out the purposes for which the
20 settlement was received.

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

1 **SECTION 5.** 20.455 (3) (i) of the statutes is created to read:

2 20.455 (3) (i) *Settlements without a specified purpose.* All moneys received from
3 settlement funds that do not have a purpose specified by the terms of the settlement
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5 attorney general.

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

6 **SECTION 6.** 165.10 of the statutes is repealed.

7 **SECTION 7.** 165.25 (10g) of the statutes is created to read:

8 **165.25 (10g) REPORT ON SETTLEMENT FUNDS.** Semiannually submit a report to
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15 the terms of the settlement.

16 (c) The amount of settlement funds received that do not have a purpose
17 specified by the terms of the settlement.

18 (d) The cases from which settlement funds are received.

19 (e) The purposes for which settlement funds are used, and the amounts
20 expended for each purpose.

21

(END)

WGET
3-6

**2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1484/p4ins
MLJ:...

1

INSERT 3-6

****NOTE: This is reconciled s.20.455 (3) (i). This SECTION has been affected by drafts with the following LRB numbers: ~~1484/p3~~ and ~~2081/p1~~.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1484/P4dn
MLJ:klm

February 21, 2019

This draft reconciles LRB-1484/P3 and LRB-2081/P1 by deleting from LRB-2081/P2 the creation of s. 20.455 (3) (i), which now appears in 1484/P4. Both of these drafts should continue to appear in the compiled bill.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1484/P4
MLJ:amn&cdc

DOA:.....Schmidt, BB0211 - DOJ Settlement Funds

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

JUSTICE

1. Settlement funds

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The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 20.455 (1) (hn) of the statutes is created to read:

3 20.455 (1) (hn) *Payments to relators.* All moneys received by the department

4 that are owed to a relator, to provide payments owed to a relator.

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

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

2 20.455 (2) (gb) *Gifts and grants.* The amounts in the schedule to carry out the
3 purposes for which gifts and grants are made and received. All moneys received from
4 gifts and grants, other than moneys received for and credited to another
5 appropriation account under this subsection, shall be credited to this appropriation
6 account to carry out the purposes for which gifts and grants are made and received.

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8 20.455 (3) (g) *Gifts, grants and proceeds.* The amounts in the schedule to carry
9 out the purposes for which gifts and grants are made and collected. All moneys
10 received from gifts and grants and all proceeds from services, conferences, and sales
11 of publications and promotional materials to carry out the purposes for which gifts
12 and grants are made, received, or collected, except as provided in sub. (2) (gm) and
13 (gp) and to transfer to s. 20.505 (1) (kg), at the discretion of the attorney general, an
14 amount not to exceed \$98,300 annually, ~~shall be credited to this appropriation~~
15 ~~account.~~

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

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17 20.455 (3) (h) *Settlements with a specified purpose.* All moneys received from
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19 be credited to this appropriation account to carry out the purposes for which the
20 settlement was received.

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

