



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Senate Bill 17

**Senate Substitute
Amendment 1**

Memo published: June 9, 2003

Contact: Richard Sweet, Senior Staff Attorney (266-2982)

Senate Bill 17 creates a Joint Committee on Court Judgments and Settlements, consisting of four legislators and three non-legislative members who are nominated by the Attorney General, the Governor, and the Supreme Court. The bill creates a process to be used to apply for grants when the Department of Justice (DOJ) brings an action on behalf of the citizens of Wisconsin and wins a money judgment or settlement of \$100,000 or more and the court has established parameters as to how the money should be spent. The process for awarding the grants from the money judgment or settlement involves notice by the Attorney General of the ability to apply for grants, consideration of applications and awarding of grants by the Joint Committee on Court Judgments and Settlements, and possible review of the grant awards by the Joint Committee on Finance (generally referred to as “passive review”).

Senate Substitute Amendment 1 makes the following changes to the bill:

1. The bill refers to situations in which the court has established “parameters” as to how the money should be spent. The substitute amendment refers to specifications by the court that the payments be used for a “particular purpose.”
2. The bill states that within 30 days after the deadline for submitting an application, the committee must meet to consider the applications. In addition, DOJ and the Legislature must post a notice regarding the meeting within specified times. The bill also states that failure to meet the time limits under that provision invalidates any action taken at the meeting. The substitute amendment modifies this latter provision to state that failure to post the notices as required by the provision invalidates any action taken at the meeting.
3. The substitute amendment modifies various statutes dealing with violations related to Medical Assistance, antitrust, and environmental protections. Under current law, courts are given the authority to award to DOJ costs of investigations and prosecutions and the money awarded is deposited into the state general fund. The substitute amendment modifies these

statutes to state that 10% of the money that is deposited in the state general fund for this purpose is to be credited to a DOJ appropriation account.

Legislative History

On April 30, 2003, the Senate Committee on Homeland Security, Veterans and Military Affairs and Government Reform introduced and recommended for adoption Senate Substitute Amendment 1, and recommended passage of the bill as amended, both by votes of Ayes, 5; Noes, 0. On June 4, 2003, the Senate adopted the substitute amendment, and passed the bill as amended, both by voice votes.

RNS;jal:ksm;tlu