

Joint Committee on Ways and Means

Carrier – House: Rep. Barker
Carrier – Senate: Sen. Walker

Revenue: No revenue impact

Fiscal: Fiscal statement issued

Action: Do Pass the A-Engrossed Measure as Amended and Be Printed B-Engrossed

Vote: 18 – 2 – 2

House

Yeas: Buckley, D. Edwards, Galizio, Garrard, Jenson, Kotek, Nathanson, Shields, G. Smith

Nays: Gilman, Richardson

Exc: Komp

Senate

Yeas: Bates, Carter, Girod, Johnson, Monroe, Nelson, Verger, Walker, Winters

Nays:

Exc: Whitsett

Prepared By: Doug Wilson, Legislative Fiscal Office

Meeting Date: June 11, 2009

WHAT THE MEASURE DOES: Changes the Consumer Protection and Education Revolving Account to the Department of Justice Protection and Education Revolving Account. Adds criminal environmental lawsuits to the existing list of activities that can be funded by the account. Requires excess funds over Department of Justice estimate to be returned to General Fund. *Cy-pres* funds (those that are *de minimis* or victim could not be found) are to be transferred into the General Fund. Declares an emergency and has an effective date on passage.

ISSUES DISCUSSED:

- Financial status of the Fund and the impact of this bill on the Fund
- The types of suits the Department of Justice would pursue with these resources

EFFECT OF COMMITTEE AMENDMENT: Clarifies the Legislature's role in reviewing the expenditures, revenues and ending balances of the Fund and determining when fund resources should be transferred to the General Fund.

BACKGROUND: Money from judgments and settlements, including damages and attorney fees from state and federal antitrust suits, go into the existing Consumer Protection and Education Revolving Account. Civil penalties under the unlawful trade practices act do not go into the account.