



Report and Recommendations of the Senate Special Committee on Oversight of the Department of Justice

March 31, 2026

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PART I: EXECUTIVE SUMMARY

The Senate Special Committee on Oversight of the Department of Justice (the “Committee”) was created to conduct oversight of the Wisconsin Department of Justice (“DOJ”), including an examination of whether DOJ is: operating within the limits of its statutory authority; remaining accountable to the people of Wisconsin; and avoiding undue influence from outside organizations and private funding sources. The Committee focused on DOJ’s use of privately funded “Special Assistant Attorneys General” (“SAAGs”)—attorneys who, while funded by ideological special-interest groups, were given the title and powers of assistant attorneys general and assigned to work inside DOJ.

As described in this Report, DOJ has entered into at least two arrangements to embed outside-funded attorneys in the agency. First, DOJ entered a fellow placement Agreement with the Public Rights Project (“PRP”), under which PRP coordinated placement of a fellow in DOJ and paid the fellow a yearly stipend; the PRP fellow’s work was to be assigned among specified DOJ units, with DOJ supervision, while DOJ also agreed to make the fellow available for PRP programming and marketing events. Second, DOJ entered into a secondment Agreement with New York University School of Law’s State Energy & Environmental Impact Center (the “State Impact Center”), under which the State Impact Center funded and staffed SAAGs who were treated “on paper” as volunteers at DOJ but in practice were salaried employees of the State Impact Center exercising the powers of an assistant attorney general within DOJ.

The Committee reviewed thousands of documents produced by DOJ in response to the Committee’s demand for documents and held two days of public hearings in February 2026 to gather testimony and evaluate the SAAG model in Wisconsin and elsewhere. Witnesses addressed the embedded-fellow model under Wisconsin law, the risk that private funding may undermine DOJ’s independence or the public’s perception of impartiality, and the manner in which such arrangements can unconstitutionally bypass the Legislature’s appropriations and oversight authority. The Committee also subpoenaed and took sworn testimony from the Attorney General.

Based on the record before it, the Committee makes the following core findings:

1. DOJ’s SAAG arrangements are not authorized by Wisconsin statutes and constitute a circumvention of established checks and balances. Wisconsin agencies may exercise only those powers provided by statute. The Committee finds no statute authorizes DOJ to deputize and empower attorneys paid by third parties to act with the authority of assistant attorneys general. The Committee further finds that the SAAG model improperly bypasses the Legislature’s constitutional and statutory control over staffing and appropriations—providing DOJ with an additional funded position outside the budget process or the statutorily recognized procedures for requesting new positions.

2. DOJ violated Wis. Stat. § 165.055 when it failed to comply with the requirements to appoint and administer oaths to the SAAGs. The Committee finds that DOJ failed to issue written

appointments and file them with the Secretary of State for each SAAG it utilized. In one instance, a SAAG was embedded at DOJ before being admitted to practice law in Wisconsin, as required by statute. Additionally, all three oaths of office, while eventually taken and filed with the Secretary of State, were sworn after the start of each SAAG's term. This not only violated the text of the statute, but also violated the sworn statement which specified the attorney had "not yet entered" the duties of an assistant attorney general. DOJ's failure to comply with these basic requirements undermines the credibility of its assertions that it closely managed, ensured ethical compliance, and conducted rigorous oversight of the SAAGs.

3. The SAAG arrangement raises concerns under Wisconsin Ethics laws, and an unresolved complaint alleging the same, emphasizes the need for clarity in guardrails and resolution timeframes. The Committee finds that a serious complaint alleging that the Attorney General unlawfully accepted free legal services in violation of Wisconsin ethics law remains pending before the Wisconsin Ethics Commission after 412 days. The Committee is concerned about a lack of timely, formal resolution. The Committee also believes credible claims of violation of Wis. Stat. § 19.45 should be adjudicated. The Committee believes that the Attorney General's acceptance of the 'free' SAAG is likely an impermissible gift under Wis. Stat. § 19.45(3), or that the Attorney General is a party to the SAAGs receiving an impermissible third-party gift under Wis. Stat. § 19.45(2).

4. The SAAG arrangement risks unlawful delegation of executive power and creates structural dependence on outside interests. The Committee finds that the SAAGs were empowered to prosecute Wisconsin citizens and businesses and to represent the State and its agencies in legal matters. That power raises fundamental concerns about delegation of core executive functions to non-state employees. Key contract terms create an imbalance that suggests outside influence on DOJ. This includes provisions allowing the external funder to withdraw a SAAG on short notice while requiring DOJ to "confer" and attempt resolution before termination. In the Committee's view, that structure constrains DOJ's practical ability to direct or remove embedded counsel and creates incentives to align work with the funder's priorities, including requirements set by the funder that the SAAGs work on specific issue areas, like environmental issues in the case of the SAAGs funded by the State Impact Center.

5. The scope of SAAG activity underscores the significance of potential external influence. The Committee finds that State Impact Center-funded SAAGs were assigned to environmental enforcement matters, including actions against Wisconsin citizens and businesses, and to matters defending state agencies in legal proceedings. DOJ produced a list of SAAG assignments that it admitted was incomplete; nevertheless, the Committee finds that the two State Impact Center SAAGs were assigned to at least 35 cases, not including pre-suit or non-litigation matters or any work performed outside formal assignments. The Committee also finds that at least one SAAG, on behalf of the State of Wisconsin, signed a formal comment in support of a controversial, ideologically motivated proposed federal rule while serving in the SAAG role.

6. The Committee reasonably infers that responsive documents to the December 18, 2025 request likely exist but have not been produced because of a lack of purposeful search. The format, timing, and handling of records, along with sworn testimony from the Attorney General, indicate that the Committee received only records already identified through previous requests or litigation by separate entities. There was not a separate search using the terms, definitions and expanded legal authority of the Committee’s request. Three supplemental document productions since January 23, 2026 reinforce this inference.

Recommendations.

In light of these findings, the Committee recommends:

- (i) immediate termination of the Agreements with the State Impact Center and PRP, and cessation of any similar arrangements under existing law;
- (ii) a formal legislative resolution concluding that DOJ’s use of a SAAG paid by third-party sources is unlawful and unethical;
- (iii) strengthening of checks and balances via the biennial budget and Wis. Stat. § 13.10 process over what should be processed as a request under the gifts and grants appropriation;
- (iv) new legislation to ensure that only state employees, approved and authorized through the legislative branch, can prosecute Wisconsin citizens;
- (v) corrective measures to ensure that all assistant attorneys general, and any similarly situated counsel: are properly licensed in Wisconsin and appointed in writing, have taken the required oath of office *before* commencing duties, and that DOJ filed the appointment letters and oaths with the Secretary of State as required by Wis. Stat. § 165.055;
- (vi) the establishment of timelines by the Wisconsin Ethics Commission for issuance of opinions in response to ethics complaints, so that significant allegations affecting public trust are not left indefinitely pending;
- (vii) subsequent follow up with DOJ to ensure that a purposeful search of its records, as fully requested, is completed.

PART II: COMMITTEE ACTIVITY

Purpose of and Creation of Committee

Special Assistant Attorneys General

Offices of state attorneys general, including Wisconsin’s own DOJ, increasingly seek ways to employ outside legal counsel to advance their ideological and policy objectives. This includes allowing outside legal counsel to prosecute individuals on behalf of the State and defend the State in litigation. Recently, DOJ has used seconded attorneys who wield the full power of an assistant attorney general while paid by a third-party special interest group. At DOJ, these attorneys are called “Special Assistant Attorneys General.”

At least two groups have funded Special Assistant Attorneys General in Wisconsin. The first is the Public Rights Project, whose goals include funding attorneys to focus on a host of civil rights issues from voting rights to reproductive rights.¹ The PRP receives funding from liberal foundations and individual donations.² DOJ entered into a Fellow Placement Agreement with the PRP in 2019 to host a fellow, paid by the PRP, for two years in the Consumer Protection Section of the Public Protection Unit.³

The second group is the New York University School of Law’s State Energy & Environmental Impact Center. The State Impact Center was established in 2016 through a grant from Bloomberg Philanthropies and has worked nationally to place law fellows within the offices of progressive state attorneys general.⁴ Wisconsin’s DOJ entered a secondment Agreement with the State Impact Center in 2021.⁵ The State Impact Center funded and staffed a SAAG in DOJ for several months in 2022 and from January 2024 through December 2025.⁶

On paper, the State Impact Center funded SAAGs were “volunteers” for DOJ, but in reality, they were salaried employees of the State Impact Center.⁷ They wielded the full powers of an assistant attorney general (“AAG”). As required by the State Impact Center, which specified that the SAAGs must work on “matters relating to clean energy, climate change, and environmental matters of

¹ See generally <https://www.publicrightsproject.org/>.

² See generally <https://www.publicrightsproject.org/about/partners/>.

³ DOJ00000389. This document, and others similarly named, were provided to the Committee by DOJ in response to the Committee’s Wis. Stat. § 13.45(7) request discussed below.

⁴ <https://oversight.house.gov/release/comer-investigates-bloomberg-philanthropies-for-partisan-activism-with-state-attorneys-general/>; see also <https://stateimpactcenter.org/about/fellows-program>.

⁵ DOJ000068.

⁶ The first State Impact Center SAAG held that position at DOJ from May 8, 2022 until October 2022. See DOJ000029 (Volunteer Agreement listing May 8, 2022, start date); DOJ000012 (email noting SAAG acceptance of full time position at DOJ effective October 24, 2022). The second State Impact Center SAAG was at DOJ from January 22, 2024 to December 15, 2025. See DOJ000182 (Volunteer Agreement listing January 22, 2024, start date); DOJ00010083 (SAAG resignation letter to State Impact Center listing last day of December 15, 2025).

⁷ Compare DOJ000029; DOJ000182 (DOA Volunteer Agreements indicating both SAAGs would be volunteers at DOJ) with DOJ000148; DOJ000210 (offer letters from State Impact Center specifying salary).

regional and national importance,”⁸ both SAAGs were staffed in the Environmental Protection Unit of DOJ.⁹ This extra position, and the funding to support it, was never approved by the Legislature.

Beginning in 2017, NYU-funded attorneys were placed in offices of state attorneys general across the country to advance a host of environmental issues, including coordinated state filings concerning climate change and clean water.¹⁰ In fact, this practice is so prevalent that it is currently subject to scrutiny by the U.S. House of Representatives. The U.S. House Committee on Oversight and Government Reform is investigating ties between the State Impact Center and state attorneys general.¹¹ In July 2025, the Chairman of the Committee sent letters to Bloomberg Philanthropies and the State Impact Center raising ethical questions about this practice.¹² The House Committee asked both Bloomberg Philanthropies and the State Impact Center to provide documents to assist the Committee’s investigation.¹³ That investigation remains ongoing.

Formation of Special Committee

On December 15, 2025, the Committee of Senate Organization, by a vote of Ayes, 3 (LeMahieu, Felzkowski, and Feyen); Noes, 2 (Hesselbein and Smith); and Not Voting, 0; approved the following motion:

[MOTION] *It is moved, pursuant to Senate Rule 21, that a special committee be created the object of which is oversight of the Wisconsin Department of Justice. It shall be named the Special Committee on Oversight of the Department of Justice. The basis for this motion and the objectives, purposes, and responsibilities of the Special Committee, in addition to membership and staffing issues, are set forth below.*

The motion is included in Appendix 1.

⁸ DOJ000068, § B.2.

⁹ During the timeframe the Committee was investigating, 2019 to the present, DOJ has had both a separate Environmental Protection Unit and an Environmental Protection Division in its Public Protection Unit. *See, e.g.*, DOJ00003023 (email signature of an AAG in the Environmental Protection Division of the Public Protection Unit); DOJ00010567 (email signature of same AAG in Environmental Protection Unit). This report uses “Environmental Protection Unit” to refer both to the Unit and the Division.

¹⁰ <https://oversight.house.gov/release/comer-investigates-bloomberg-philanthropies-for-partisan-activism-with-state-attorneys-general/>; <https://stateimpactcenter.org/about/fellows-program>.

¹¹ <https://oversight.house.gov/release/comer-investigates-bloomberg-philanthropies-for-partisan-activism-with-state-attorneys-general/>.

¹² <https://oversight.house.gov/wp-content/uploads/2025/07/Bloomberg-and-law-activism-071725.pdf>; <https://oversight.house.gov/wp-content/uploads/2025/07/NYU-and-law-activism-071725.pdf>.

¹³ *Id.*

Authority over the Department of Justice

The Committee was created in recognition of the Legislature’s broad oversight authority of the Executive Branch and its agencies, including DOJ.

It is the Legislature that “create[s] administrative agencies.” *Koschkee v. Taylor*, 2019 WI 76, ¶ 13. By implication, the Legislature “may withdraw powers which have been granted, prescribe the procedure through which granted powers are to be exercised, and, if necessary, wipe out the agency entirely.” *State v. Whitman*, 196 Wis. 472, 220 N.W. 929, 942 (1928); *see also Brown Cnty. v. Dep’t of Health & Soc. Servs.*, 103 Wis. 2d 37, 43, 307 N.W.2d 247 (1981). It also follows that “[a]n agency or board created by the legislature has only those powers which are expressly conferred or which are necessarily implied from the statutes under which it operates.” *Elroy-Kendall-Wilton Schs. v. Coop. Educ. Serv. Agency, Dist. 12 (CESA 12)*, 102 Wis. 2d 274, 278, 306 N.W.2d 89 (Ct. App. 1981).

The Legislature also “has constitutional authority over appropriations,” including to agencies. *Kaul v. Wis. State Legislature*, 2025 WI 23, ¶ 13; *Evers v. Marklein* (“*Marklein I*”), 2024 WI 31, ¶ 14 (noting that this authority “fall[s] squarely within the legislative power”). This authority, “combined with [the taxing power in] Article VIII, Section 5, empower[s] the legislature to make policy decisions regarding taxing and spending.” *Marklein I*, 2024 WI 31, ¶ 14 (cleaned up). It is therefore clear that “[c]ontrolling the expenditure of state funds through lawmaking constitutes an exercise of the legislature’s appropriation authority.” *Id.*; *see also Flynn v. Dep’t of Admin.*, 216 Wis. 2d 521, 540, 576 N.W.2d 245 (1998).

DOJ is fully subject to these legislative powers. The Legislature created the agency by enactment of Wis. Stat. § 15.25. Through Chapter 165, the Legislature has specifically enumerated the duties and carefully circumscribed the authority of this agency. *See generally* Wis. Stat. ch. 165. The agency also is entirely dependent upon appropriations for funding—appropriations which can be made only by the Legislature. In addition, the Wisconsin Supreme Court makes clear that “the Legislature can by law empower DOJ to represent the state in litigation and prescribe the limits and ends of that power.” *Kaul*, 2025 WI 23, ¶ 3. And, of course, concomitant with its power “to decide what the law shall be,” the Legislature alone “confer[s] authority and discretion on the executive branch, which then must execute it under and in pursuance of the law.” *Id.* ¶ 17 (cleaned up). So, while the Legislature cannot participate in the execution of law, it determines the policies that the agency is charged by law to implement.

To ensure that the duties and responsibilities of agencies are being faithfully carried out, and that their priorities and activities are furthering the best interests of the People it serves, the Legislature has very broad oversight and investigative authority over these departments. *See Marklein I*, 2024 WI 31, ¶ 20 (“[T]he legislature retains the authority to conduct oversight investigations and audits of administrative agencies.”).

This power is a corollary of the Legislature’s lawmaking function as well, separate from its interest in ensuring that agencies are acting appropriately. Hence, as the Supreme Court explained in 1909, this authority allows the Legislature to “investigate any subject respecting which it may desire information in aid of the proper discharge of its function to make or unmake written laws, or perform any other act delegated to it by the fundamental law . . . and to proceed, with that end in view, by a duly authorized committee of one or both branches of the Legislature and to incur reasonably necessary expenses, payable out of the public funds.” *State v. Frear*, 138 Wis. 173, 119 N.W. 894, 895 (1909) (*per curiam*). Opinions from the Attorney General agree. They confirm, for example, that incidental to the Legislature’s power to enact laws is the ability to obtain the information needed to inform lawmaking. 20 Op. Atty. Gen. 765, 766 (1931). This authority is “necessary” and the Legislature may use this authority “to obtain any information that may assist it in legislating, and may compel the attendance of witnesses to that end.” *Id.* The power is also fundamental: legislative power is ultimately constitutional in nature, and statutes and rules provide procedures for the Legislature to follow in the exercise of its authority. 1 Op. Atty. Gen. 259, 260–62 (1913).

Objectives, Purposes, and Responsibilities of the Special Committee

The Senate Special Committee on Oversight of the Department of Justice was formed pursuant to Senate Rule 21 to conduct a thorough and impartial examination, investigation, and audit of the operations and priorities of DOJ. This Committee was tasked with assessing whether DOJ’s actions are consistent with its statutory responsibilities and serving the interests of the people of Wisconsin. In particular, the Committee was instructed to investigate, among other topics, the extent to which DOJ may be subject to influence from external organizations, advocacy groups, or third-party funding sources, and whether such influence compromises its independence, judgment, loyalty, or accountability to the people of Wisconsin. This inquiry was deemed essential to ensure transparency, uphold public trust, and safeguard the integrity of DOJ’s decision-making processes. The Committee was also deemed necessary to inform the lawmaking function of the Legislature as applied to DOJ’s operations and authorities.

The Committee was tasked with holding hearings and taking testimony. It was directed to issue a report and recommendation to the Chief Clerk for distribution to each Senator no later than April 14, 2026.

Members and Staff

The Committee was created to consist of six members, with four members representing the majority party and two members representing the minority party. Minority party members were appointed based upon nomination of the Minority Leader. The four members of majority party are: Senator Felzkowski, Chair, Senator Tomczyk, Vice-Chair, Senator Jacque, and Senator Wimberger. The two members of the minority party are Senator Habush Sinykin and Senator Ratcliff.

The Legislative Council Staff was instructed to provide staff counsel to the Committee, attend every meeting of the Committee, and assist the Committee clerk with the production of documents for the Committee. The Sergeant at Arms was instructed to provide staff support at every meeting of the Committee.

Wisconsin Stat. § 13.45(7) Requests for Documents

December 18, 2025 Ballot

On December 18, 2025, the Senate Special Committee on Oversight of the Department of Justice by a vote of Ayes, 4 (Felzkowski, Tomczyk, Jacque, and Wimberger); Noes, 2 (Habush Sinykin and Ratcliff); and Not Voting, 0; approved Motion 1. That Motion, provided in Appendix 1, requested that DOJ respond to twelve distinctive inquiries made by this motion under Wis. Stat. § 13.45(7).¹⁴

This motion, and a cover letter signed by Chairperson Felzkowski, was sent by U.S. Mail and e-mail to DOJ, addressed to the attention of Government Affairs Director McKinny on the same date (December 18, 2025). DOJ was instructed to provide the requested documents and information no later than January 19, 2026 in electronic format to the following email address: SCODOJ@legis.wisconsin.gov.¹⁵

¹⁴ “The departments, officers and employees of Wisconsin state government, and the governing bodies of the political subdivisions of this state, shall assist legislative committees in the completion of their tasks. They shall provide legislative committees with ready access to any books, records or other information relating to such tasks. Upon request by legislative committees, and within the limits of existing appropriations, departments of state government shall supply such specialized staff assistance as a legislative committee may require.” Wis. Stat. § 13.45(7).

¹⁵ A copy of this letter is in Appendix 1.

Department of Justice Responses to Document Requests

On January 15, 2026, DOJ conveyed to Chairperson Felzkowski's staff that its responses to the requests would be delayed past the requested date of January 19, 2026.

On January 23, 2026, DOJ provided documents in response to the Committee's Wis. Stat. § 13.45(7) requests. Rather than perform an independent search of documents, DOJ explained that what it provided to the Committee were documents produced in *Wisconsin Dairy Alliance, Inc. et al. v. Kaul*, No. 25-CV-22 (Wis. Cir. Ct. Calumet Cnty.) and in response to three previous public records requests. DOJ explained that because it was providing the Committee documents in this manner, it provided duplicative documents and documents not responsive to the requests. Furthermore, DOJ explained that "[t]here likely are Department records that are technically responsive to the Committee's request that are not produced here." DOJ provided two folders of documents to the Committee. The first folder, titled "PRR Responses" contained three subfolders titled "Hardin PRR," "Manley PRR," and "Umpir PRR." Those folders contained 171, 608, and 79 items, respectively. The second folder was titled "WDA v. Kaul Productions." That folder contained 2,813 pdfs labeled with the bates stamp listed on the first page of the pdf.¹⁶

On February 9, 2026, DOJ supplemented this production to provide an unredacted version of a document that was previously redacted, in line with a change made in the *Wisconsin Dairy Alliance* litigation.

On February 19, 2026, DOJ again supplemented its production. This supplement was not the result of independent search but rather matched the additional productions provided by DOJ in the *Wisconsin Dairy Alliance* litigation. This supplemental production included an additional 106 pdfs labeled with the bates stamp listed on the first page of the pdf.

The Committee, through Chairperson Felzkowski's office, inquired whether DOJ submitted an application to the State Impact Center to apply for the fellowship program that would afford DOJ a SAAG on February 19, 2026. The next day, DOJ relayed that no application was sent.

On February 23, 2026, DOJ provided the Committee with a list of cases that the SAAGs funded by the State Impact Center were assigned on. The cover email to that list explained that the "table is not exhaustive of all matters they may have worked on and does not include pre-suit or non-litigation matters."

On March 19, 2026, DOJ again supplemented its production in the same manner as February 9 and 19. This supplemental production included an additional 14 documents consisting of 62 pages from the *Wisconsin Dairy Alliance* litigation.

¹⁶ In reviewing these documents, the Committee noticed that it did not have all the bates numbered pages in the range provided by DOJ. For example, pages DOJ000282 and DOJ000283 were not included in these documents.

In the thousands of documents that were provided to the Committee in response to its requests, as of the day Attorney General Kaul appeared before the Committee, there was *one* email from him.

Hearings

The Wisconsin Senate Special Committee on Oversight of the Department of Justice held two days of public hearings to gather information concerning DOJ's use of privately-funded SAAGs. Chairperson Felzkowski's office coordinated with DOJ to find a date on which the Attorney General was available to appear before the Committee. On February 5, the Committee issued a subpoena to Attorney General Kaul to provide testimony under oath on February 25, 2026 at 10:00am.¹⁷ The Committee scheduled a hearing with other witnesses the day before, February 24, 2026.

The Committee timely issued notices for both public hearings.¹⁸

February 24, 2026 Hearing

On February 24, four witnesses testified before the Committee: Dr. Paul Nolette, a professor at Marquette University, Evan Umpir of Wisconsin Manufacturers & Commerce, dairy farmer Phil Mlsna, and Annette Meeks of the Freedom Foundation of Minnesota. Dr. Paul Nolette, Evan Umpir, and Annette Meeks provided written testimony, in addition to their public testimony and remarks.¹⁹

Dr. Paul Nolette

Dr. Paul Nolette, Director of the Les Aspin Center for Government at Marquette University and co-editor of the *Journal of Federalism*, testified remotely from Washington, D.C. He was quoted in the *Milwaukee Journal Sentinel* stating that the Wisconsin DOJ's relationship with the State Impact Center, and its use of a SAAG "does raise the question of, '[w]ho's really representing the state?' It's not a taxpayer-funded staff member at the Attorney General's office. Instead, it's a member or someone that's privately funded or part of an advocacy group."²⁰ According to the same article, Dr. Nolette added, "What would you think if Republican attorneys general were hiring a bunch of like conservative activists to run the litigation program of their attorney general office? There will be a lot of concerns over that."²¹

In his testimony, Dr. Nolette presented a framework of five categories of outside legal assistance used by state attorneys general: (1) contingency fee outside counsel, (2) pro bono or reduced fee representation, (3) intergovernmental and multi-state staffing, (4) special assistant or seconded attorneys (including the State Impact Center model), and (5) high-profile constitutional and social

¹⁷ A copy of this subpoena is included in Appendix 1.

¹⁸ Copies of the public hearings are in Appendix 1. Recordings of both public hearings are available at wiseeye.org.

¹⁹ Copies of this written testimony are included in Appendix 2.

²⁰ <https://www.jsonline.com/story/news/investigations/daniel-bice/2024/05/21/bice-new-state-prosecutor-paid-for-by-bloomberg-funded-center/73721160007/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-epti=z114238e1196xxv114238d--47--b--47--&gca-ft=187&gca-ds=sophi>

²¹ *Id.*

policy litigation using outside counsel.²² These categories of outside legal assistance are one way in which state attorneys general may gain independence for themselves and their staff from legislative authority.²³

Dr. Nolette observed that the special assistant or seconded attorneys, also called the embedded fellow model, is a newer phenomenon that Wisconsin law does not provide for or regulate.²⁴ It is the only category of outside legal assistance that is funded not by taxpayers, but by private interests, and presents special concerns about DOJ's transparency and the public perception of donor influence.²⁵ Dr. Nolette commented that when attorneys general use outside legal assistance it has been "very common" for legislatures to use their oversight powers "to ensure that those arrangements in the AG offices are consistent with legal, ethical principles and serve the best interests of the residents of the state."²⁶

During questioning from the Committee, Dr. Nolette pointed out that over the past few administrations, state attorneys general have increasingly engaged in national high-impact litigation, settlement steering, and compliance monitoring.²⁷ As a result of this trend, state attorneys general can circumvent legislative regulation and appropriations authority.²⁸ Dr. Nolette also explained that, as embedded fellows and national impact litigation and regulatory efforts become more common in state DOJ's, embedded fellows are increasingly participating in national litigation and regulatory efforts.²⁹

Dr. Nolette noted that the State Impact Center has contracted with 12 Democratic attorneys general and no Republican attorneys general to date, which he acknowledged raises concerns about partisanship.³⁰ He also agreed with Chairperson Felzkowski that if the State Impact Center was not seeing the results it wanted after funding a fellow, it might not fund another SAAG in the future.³¹ Dr. Nolette flagged that the absence of a clause allowing DOJ to terminate an embedded fellow's contract at any time is also a concern to DOJ's independence from third-party influence.³²

²² Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/24/senate-special-committee-on-oversight-of-the-department-of-justice-2/> (Feb. 24, 2026) at 6:45–12:10.

²³ *Id.* at 19:45–21:45.

²⁴ *Id.* at 16:25–17:35.

²⁵ *Id.* at 56:05–56:25; *see also id.* at 13:00–13:35.

²⁶ *Id.* at 17:30–18:05.

²⁷ *Id.* at 10:35–12:15; 46:55–50:15; 58:05–60:00.

²⁸ *Id.* at 21:20–22:50.

²⁹ *Id.* at 32:30–33:00.

³⁰ *Id.* at 50:50–58:00.

³¹ *Id.* at 56:50–57:35.

³² *Id.* at 1:06:20–1:07:05.

Evan Umpir – Wisconsin Manufacturers & Commerce

Evan Umpir, General Counsel of Wisconsin Manufacturers & Commerce (“WMC”), testified that WMC has at least four categories of “grave concerns” about DOJ’s use of externally funded attorneys and the resulting enforcement practices.³³

First, Umpir characterized DOJ’s enforcement of environmental rules and regulations against farmers and manufacturers as disproportionate and overzealous.³⁴ He explained that DOJ has consistently prosecuted small violations of environmental standards that had no impact on the environment, resulting in hundreds of thousands of dollars in forfeitures in cases where no fault was established.³⁵ In total, Umpir noted that DOJ has recovered \$2 million in forfeitures from farmers since 2020.³⁶ These forfeitures in part came from targeting short-term, intermittent deviations that fall within the standard range of compliance.³⁷ Umpir stated that this pattern of overenforcement has caused a “chilling effect” on the business community.³⁸ Umpir highlighted that SAAGs can significantly alter the type and pressure of enforcement brought in certain areas by increasing DOJ’s resources, allowing it to risk personnel on running investigations and prosecutions that might end in nothing.³⁹

Second, Umpir detailed two open records requests that individuals in WMC sent to DOJ.⁴⁰ DOJ’s response to both requests was considerably delayed—nearly six months for one and 518 days for the other.⁴¹ This far exceeds DOJ’s own guidance that in the normal course responses to open records requests should be provided within 10 days.⁴² In its long awaited response, DOJ refused to provide numerous documents on a blanket assertion of attorney-client privilege.⁴³ When these privilege claims were challenged in one of the open records responses, a Dane County Circuit Court judge ordered DOJ to provide many of the withheld documents to WMC.⁴⁴

Third, Umpir argued that DOJ’s use of SAAGs circumvents legislative appropriations authority and the separation of powers, characterizing it as “pay to play justice.”⁴⁵

Finally, Umpir explained that public perception of the Wisconsin DOJ’s relationship with the State Impact Center—which WMC learned about only from its watchdog work—was that it promoted

³³ *Id.* at 1:19:25–1:19:55.

³⁴ *Id.* at 1:18:46–1:20:50.

³⁵ *Id.* at 1:24:25–1:26:50.

³⁶ *Id.* at 1:24:25–1:24:45.

³⁷ *Id.* at 1:25:50–1:26:40.

³⁸ *Id.* at 1:35:40–1:36:00.

³⁹ *Id.* at 1:40:50–1:41:20.

⁴⁰ *Id.* at 1:29:00–1:29:25.

⁴¹ *Id.* at 1:32:15–1:32:40.

⁴² *Id.* at 1:44:20–1:44:35.

⁴³ *Id.* at 1:30:10–1:33:45.

⁴⁴ *Id.* at 1:30:10–1:31:00.

⁴⁵ *Id.* at 1:19:55–1:20:40; 1:30:45–1:34:25.

selective justice compelled by the highest bidder's whims.⁴⁶ In response to questions from the Committee, he contrasted the State Impact Center's funding of a SAAG, which may result in unseen and unchecked influence upon the state attorney general, with lobbying groups of either political party, which are governed by ethics and lobbying laws.⁴⁷ Umpir also noted that, if the practice of funding SAAGs were legal, WMC and other organizations interested in seeing some laws enforced (and others not) would gladly fund DOJ positions.⁴⁸

Phil Mlsna

Phil Mlsna, a third-generation dairy farmer from Monroe County who operates a farm with approximately 2,200 milking cows, provided testimony about his prosecution by DOJ after his WPDES permit expired due to an oversight by a contracted co-op employee.⁴⁹ Despite Mlsna's best efforts to meet the requirements to obtain a new permit, the permit's expiration triggered years of enforcement by the Department of Natural Resources ("DNR") and, after Attorney General Kaul came into office, DOJ-led prosecution in 2022.⁵⁰ When Mr. Mlsna was notified that his case had been transferred to DOJ, he made contact with DOJ, inviting them to see the changes he was implementing to his farm and offering to visit Madison to meet with them at any time.⁵¹ The prosecutor he spoke with refused, asked him if he wanted to be prosecuted, and told him that she had "heard enough stories."⁵² Mr. Mlsna testified that the resulting judgment cost his operation hundreds of thousands of dollars despite the court's findings that his operation caused no environmental harm.⁵³ Indeed, the water samples taken from the nearby river tested negative for contamination.⁵⁴

Annette Meeks – Freedom Foundation of Minnesota

Annette Meeks, CEO of the Freedom Foundation of Minnesota, provided testimony drawing on Minnesota's experience with externally funded government employees, including SAAGs from the State Impact Center.⁵⁵ She detailed how Bloomberg's private foundation donated \$5.6 million to develop the State Impact Center, with subsequent grants totaling tens of millions.⁵⁶ Meeks described the SAAGs funded by the State Impact Center as ideological, noting that there are no known examples of State Impact Center SAAGs working for Republican attorney general offices.⁵⁷ She stated that these SAAGs have increasingly become engaged in coordinated, activist

⁴⁶ *Id.* at 1:34:25–1:34:35.

⁴⁷ *Id.* at 1:38:00–1:39:20.

⁴⁸ *Id.* at 2:19:40–2:21:10.

⁴⁹ *Id.* at 2:21:25–2:23:05.

⁵⁰ *Id.* at 2:23:15–2:36:10.

⁵¹ *Id.* at 2:31:20–2:34:15.

⁵² *Id.* at 2:34:10–2:36:05.

⁵³ *Id.* at 2:37:35–2:38:40; 2:40:05–2:40:35.

⁵⁴ *Id.* at 2:44:10–2:46:40.

⁵⁵ *Id.* at 3:17:10–3:17:40; 3:21:20–3:23:10.

⁵⁶ *Id.* at 3:20:25–3:21:40.

⁵⁷ *Id.* at 3:24:50–3:26:10; 3:25:10–3:25:30.

lawsuits against certain state governments or federal regulations and that many of these SAAGs have left their Fellowships to work for NGO's in various states where they file complex litigation that complements the work they originally started while working for a state attorney general.⁵⁸

Meeks described Minnesota's attempt at legislation that would have required all state agency contracts with outside litigation firms to receive prior legislative authorization, public notice, and conflict vetting.⁵⁹ This legislation passed the Republican-controlled Minnesota Senate but was blocked by the Democrat-controlled House and never became law.⁶⁰ As a consequence, Minnesota has lost track of the number of Full Time Equivalent (FTE) employees a state constitutional officer may employ in their office, who funds these FTEs, and what they are working on.⁶¹ She also highlighted that some states, concerned by the trend of attorneys general relying upon external or embedded counsel like SAAGs from the State Impact Center, have passed legislation to limit such agreements.⁶² For example, Virginia's bipartisan 2019 budget provision, signed by the Democratic governor, requires all legal services in the Attorney General's office to be performed by state employees.⁶³ Meeks stated that, in her opinion, greater transparency regarding the relationship between the government and various NGOs would greatly increase the public's trust and confidence in the government.⁶⁴

⁵⁸ *Id.* at 3:22:10–3:22:50; 3:21:45–3:22:10.

⁵⁹ *Id.* at 3:27:34–3:29:25; 3:37:05–3:37:30.

⁶⁰ *Id.*

⁶¹ *Id.* at 3:23:55–3:24:50.

⁶² *Id.* at 3:29:00–3:29:30.

⁶³ *Id.*; *id.* at 3:53:55–3:54:55.

⁶⁴ *Id.* at 3:31:30–3:33:25.

February 25, 2026 Hearing

The Wisconsin Senate Special Committee on Oversight of the Department of Justice took testimony from Attorney General Josh Kaul under oath on February 25, 2026. The Committee prepared 25 exhibits in advance of the hearing. Senator Habush Sinykin requested the list of assigned cases provided by DOJ on February 23, 2026 be distributed to the Committee and considered as an exhibit. Chair Felzkowski granted this request.⁶⁵

The State Impact Center and its Interactions with Wisconsin DOJ

Chairperson Felzkowski questioned the Attorney General about whether he or his staff have had communications with Michael Bloomberg, a Democrat billionaire from New York who largely funds the Center.⁶⁶ Chairperson Felzkowski observed that Bloomberg contributed \$500,000 to the Democratic Party of Wisconsin in October 2022—after which the Democratic Party subsequently transferred a comparable sum to Kaul’s reelection campaign.⁶⁷

The Committee also probed the State Impact Center’s ideological leanings.⁶⁸ Though the State Impact Center describes itself as “nonpartisan,” Attorney General Kaul acknowledged that it has so far partnered only with Democratic attorneys general.⁶⁹ During questioning, Chairperson Felzkowski walked through the State Impact Center’s advisory council membership and clarified that the council is composed entirely of individuals affiliated with the Democratic Party.⁷⁰

Though various members of the Committee attempted to ask Attorney General Kaul for information about meetings that he or his staff have had with the State Impact Center over the years, the Committee was unable to learn many specifics. Chairperson Felzkowski displayed a document showing that on March 30, 2018, before Kaul was elected Attorney General, his campaign manager Ashley Viste emailed David Hayes, Executive Director of the Center. It referenced a prior meeting through the Democratic Attorney General’s Association and requested a phone call with Kaul.⁷¹ This document included a later email from Hayes to Viste in January 2019, where Hayes congratulated Viste on Attorney General Kaul’s election, and asked to speak with Attorney General Kaul about an “important message.”⁷² Attorney General Kaul could not recall what that message was, why it was important, or whether he or his staff spoke to Hayes.⁷³

⁶⁵ Copies of these prepared exhibits and the exhibit requested by Senator Habush Sinykin are in Appendix 2.

⁶⁶ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 8:25–8:45.

⁶⁷ *Id.* at 15:50–16:30.

⁶⁸ *Id.* at 2:36:15–2:40:45.

⁶⁹ *Id.* at 2:38:05–2:38:10.

⁷⁰ *Id.* at 2:38:35–2:40:45.

⁷¹ *Id.* at 9:50–13:30.

⁷² *Id.* at 14:05–14:35.

⁷³ *Id.* at 14:30–15:00.

He did testify that his campaign had communications with individuals in New York, but did not recall any specifics.⁷⁴

Senator Jacque questioned Attorney General Kaul about a July 2021 meeting with the State Impact Center’s new Executive Director, Bethany Davis Noll.⁷⁵ Based on documents provided by DOJ, it appeared that the two may have discussed DOJ receiving a SAAG, as well as cases with concentrated animal feeding operations (“CAFOs”).⁷⁶ Attorney General Kaul recalled this meeting with Davis Noll but stated that his recollection of the meeting’s contents was vague.⁷⁷

SAAG Position, Authority, and Matters

The Committee questioned Attorney General Kaul about the SAAGs’ signing of Department of Administration “volunteer” agreements while receiving a salary from the State Impact Center.⁷⁸ These volunteer agreements were provided in the documents received from DOJ.⁷⁹ When pressed on this mismatch, Attorney General Kaul acknowledged the colloquial term “volunteer” did not accurately describe the SAAGs.⁸⁰

Attorney General Kaul acknowledged that the SAAGs exercised the powers of an Assistant Attorney General.⁸¹ This power has allowed the “volunteer” SAAGs—not paid by the State—to prosecute Wisconsin’s citizens and businesses.⁸² This power has also enabled the SAAGs to represent the State of Wisconsin and its agencies in legal proceedings.⁸³

To illustrate, during their time in office, the SAAGs were assigned to a variety of environmental enforcement actions and to defend the Department of Natural Resources in legal proceedings challenging the agency’s decisions.⁸⁴ An incomplete list of these case assignments was provided to the Committee by DOJ. Attorney General Kaul acknowledged that the SAAGs could well have discussed with their colleagues at DOJ multiple cases besides those to which they were assigned.⁸⁵ The Attorney General also admitted that Mr. Corrigan, while he was a SAAG, was staffed on a matter to review whether the Wisconsin DOJ should sign on to a comment in support of federal

⁷⁴ *Id.* at 8:15–8:25.

⁷⁵ *Id.* at 17:15–18:40.

⁷⁶ *Id.* at 20:20–20:25.

⁷⁷ *Id.* at 18:20–18:40.

⁷⁸ *Id.* at 1:27:50–1:34:45.

⁷⁹ *See* DOJ000029; DOJ000182.

⁸⁰ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 1:30:50–1:31:30.

⁸¹ *Id.* at 1:05:25–1:05:40; 1:28:25–1:30:00.

⁸² *Id.* at 1:27:50–1:30:25.

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.* at 39:35–42:40; 43:35–43:45.

rule regulating greenhouse gas emissions on highways.⁸⁶ Mr. Corrigan signed the comment, on behalf of the State of Wisconsin, using his authority as a privately-funded SAAG.⁸⁷

Legality of the SAAG Appointments

The Committee discussed the legality of the SAAGs. When asked what explicit statutory authority permitted DOJ to have a volunteer paid a salary from an out-of-state third party, Attorney General Kaul sought to justify the SAAGs and DOJ's Agreement with the Center under DOJ's general statutory mandate to enforce environmental laws.⁸⁸ He also attempted to liken it to DOJ's ability to accept federal grants.⁸⁹ However, when Senator Wimberger asked whether the statute which charges the power to prosecute environmental laws likewise sets forth rules regarding DOJ's authority, positions, or hiring and firing power, Attorney General Kaul acknowledged that it did not.⁹⁰ Senator Wimberger responded that, under Wisconsin caselaw, "any reasonable doubt of the existence of implied power of an administrative agency should be resolved against the exercise of such authority."⁹¹

Vice-Chair Tomczyk explained that under Wisconsin law, the Legislature has explicitly created only two pathways for DOJ to obtain new positions: the biennial budget or a Wis. Stat. § 13.10 request to the Joint Committee on Finance ("JCF").⁹² Vice-Chair Tomczyk pressed Attorney General Kaul on whether DOJ filed requests under Wis. Stat. § 13.10 to JCF for the SAAG positions.⁹³ Kaul acknowledged that DOJ did not.⁹⁴ Chairperson Felzkowski observed further that, though DOJ had, in the past budget cycle, made over 70 funding requests, across all four budget cycles during Kaul's tenure (2019–21, 2021–23, 2023–25, 2025–27), DOJ never requested additional environmental attorney positions in the biennial budget or through the § 13.10 process.⁹⁵ The Attorney General also admitted that he was not aware of ever having reached out to JCF for

⁸⁶ *Id.* at 40:20–42:40.

⁸⁷ See <https://www.regulations.gov/comment/FHWA-2021-0004-39692> (the pdf available for download at this website shows Corrigan signed onto this comment as a "Special Assistant Attorney General" on behalf of the State of Wisconsin); Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 42:00–42:40.

⁸⁸ Attorney General Kaul was referring to Wis. Stat. § 299.95, which provides that "[t]he attorney general shall enforce chs. 281 to 285 and 289 to 295 and this chapter, except ss. 285.57, 285.59, and 299.64, and all rules, special orders, licenses, plan approvals, permits, and water quality certifications of the department, except those promulgated or issued under ss. 285.57, 285.59, and 299.64 and except as provided in ss. 281.36 (14) (f), 285.86 and 299.85 (7)(am)."

⁸⁹ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 2:59:35–3:00:55; 3:06:40–3:08:40.

⁹⁰ *Id.* at 2:59:35–3:00:55.

⁹¹ *Id.* at 3:03:25–3:03:45 (quoting *State (Dep't of Admin.) v. Dep't of Indus., Lab. & Hum. Rels.*, 77 Wis. 2d 126, 136, 252 N.W.2d 353 (1977)).

⁹² *Id.* at 1:32:50–1:33:50.

⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ *Id.* at 55:10–56:55.

permission to accept embedded fellows as a gift.⁹⁶ Vice-Chair Tomczyk pointed out that engaging SAAGs effectively serves to bypass the legislatively established method for supplementing DOJ's numbers.⁹⁷

Violation of Attorney General Appointments Statute, Wis. Stat. § 165.055

Vice-Chair Tomczyk pursued DOJ's apparent failure to comply with several provisions of Wis. Stat. § 165.055. He referenced an apparent lack of appointment letters.⁹⁸ He further highlighted that both the PRP and State Impact Center-funded SAAGs' oaths of office were filed with the Secretary of State months after the fellows had already begun working on cases. Vice-Chair Tomczyk asked why the text of the SAAG's oaths appeared facially false. The oaths state that the undersigned has been "appointed to the office of Assistant Attorney General but ha[s] not yet entered upon the duties thereof" and every oath was taken some time after the SAAG commenced work at DOJ.⁹⁹

Vice-Chair Tomczyk inquired about more irregularities around Mr. Colin Stroud, the PRP-funded SAAG. Mr. Stroud's oath said he had been appointed "to the office of Volunteer Assistant Attorney General through the Public Rights Project Fellowship."¹⁰⁰ This structure, different than the other SAAGs,¹⁰¹ was not explained. Moreover, Vice-Chair Tomczyk pointed out that Mr. Stroud was not licensed to practice law in Wisconsin until almost a month after the start of his fellowship, violating another requirement of Wis. Stat. § 165.055(1).¹⁰² Attorney General Kaul acknowledged the delay between the fellows' oath dates and start dates and said he would work to revise that deficiency throughout his department.¹⁰³

Propriety of the SAAG Appointment

The Committee also questioned the propriety of the SAAGs. According to Attorney General Kaul, he was aware of the negotiation of the Agreement with the State Impact Center, and desired certain terms be included, but did not sign, review, or negotiate the Agreement's details.¹⁰⁴ Attorney General Kaul emphasized that DOJ's Agreement with the State Impact Center provides that the SAAGs are "under the direction and control of and owe a duty of loyalty to DOJ" and are subject to DOJ policies on conduct, conflicts, and confidentiality.¹⁰⁵ Nonetheless, Attorney General Kaul

⁹⁶ *Id.* at 2:53:00–2:53:20.

⁹⁷ *Id.* at 1:32:50–1:35:40.

⁹⁸ See DOJ00000374.

⁹⁹ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 1:41:55–1:54:25.

¹⁰⁰ See Appendix 2, Ex. 14.

¹⁰¹ See Appendix 2, Exs. 11, 13.

¹⁰² Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 1:54:20–1:57:00.

¹⁰³ *Id.* at 1:51:30–1:52:05.

¹⁰⁴ *Id.* at 21:55–22:35.

¹⁰⁵ *Id.* at 1:08:20–1:08:50.

acknowledged that, while the Center can terminate an embedded fellow on seven days' notice, DOJ would need to "confer" with the Center before removing one.¹⁰⁶

The Committee queried whether the SAAG arrangement, in which an employee works for DOJ, but is paid by an outside interest, satisfies the ethics requirements of Wis. Stat. § 19.45.¹⁰⁷ Senator Wimberger asked the Attorney General specifically about whether, by conferring SAAG status on a privately funded individual, the Attorney General may have enabled that person to obtain financial gain from an outside entity, thereby violating Wis. Stat. § 19.45(2), which prohibits a public official from using their office for private benefit.¹⁰⁸ When Senator Wimberger pressed the Attorney General on whether outside-funded fellows are subject to Wisconsin statutes by virtue of their position as SAAGs—regardless of the content of the Center's contract with DOJ—the Attorney General conceded that he had "*not analyzed that specific issue.*"¹⁰⁹ Attorney General Kaul explained that DOJ had sought an informal opinion from the Ethics Commission regarding whether an embedded fellow would meet Wisconsin's ethical requirements, and that the opinion stated that such an arrangement was ethically acceptable.¹¹⁰ However, that informal opinion did not include analysis on possible violation of § 19.45(3).¹¹¹

Attorney General Kaul acknowledged that a complaint was filed against him with the Wisconsin Ethics Commission and that the Commission was investigating him for the use of State Impact

¹⁰⁶ *Id.* at 2:50:40–2:53:00.

¹⁰⁷ Wisconsin Stat. § 19.45 sets forth several standards for conduct of state public officials. Subsection (1) provides that any effort of a state public official to realize personal gain through official conduct is a violation of trust. Subsection (2) provides that no state public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself, his or her immediate family, or for an organization with which he or she is associated. Subsection (3) provides that no person may offer or give to a state public official, directly or indirectly, and no state public official may solicit or accept from any person, directly or indirectly anything of value if it could reasonably be expected to influence the state public official's vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the state public official. And subsection (5) provides that a state public official may not use or attempt to use his or her public position to influence or gain unlawful benefits, advantages, or privileges personally or for others.

¹⁰⁸ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 59:05–1:09:10.

¹⁰⁹ *Id.*

¹¹⁰ *Id.* at 1:00:00–1:00:30. Documents reflect that a DOJ employee sought an "informal advisory opinion" regarding DOJ hosting an embedded fellow, funded by a not-for-profit organization. *See* DOJ00007741. The request summarized the facts and structure of the PRP fellowship, and asked whether "the proposed arrangement is permissible under the Wisconsin ethics and lobbying laws." *Id.* The Commission responded with a summary of the facts, one of which was that DOJ had not solicited PRP for the fellow, but had been offered the fellow by PRP. *See* DOJ00007737. The opinion explained that, on the facts provided, "there can be no violation" of Wis. Stats. §§ 19.45(2), 19.45(5), 19.46(1)(a), or 19.46(1)(b). *Id.*

¹¹¹ *See* DOJ00007737.

Center-funded SAAGs.¹¹² This complaint alleges that he has unlawfully accepted free legal services.¹¹³ He confirmed that the Commission had yet to issue a ruling on this Complaint.¹¹⁴

¹¹² Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 1:18:55–1:21:20.

¹¹³ See DOJ00006731.

¹¹⁴ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 1:18:55–1:21:20.

PART III: REPORT

After hearing two days of testimony and reviewing thousands of documents provided by the Department of Justice, the Senate Special Committee on Oversight of the Department of Justice makes the following findings:

1. In May 2019, DOJ entered a fellows placement Agreement with the Public Rights Project.¹¹⁵
 - a. Under the terms of this placement Agreement, the PRP would coordinate the placement of one or more fellows in DOJ and pay these fellows a yearly stipend.¹¹⁶
 - b. The PRP specified that the fellow would be assigned work in any of three of DOJ's units: Public Protection, Special Litigation and Appeals, and Medicaid Fraud Control and Elder Abuse. The Fellow was supervised by DOJ, but DOJ agreed to make the fellow available for PRP programming and marketing events.¹¹⁷
 - c. DOJ had one fellow from PRP, Colin Stroud, whose fellowship was scheduled to last from September 2019 through September 2021.¹¹⁸
2. In November 2021, DOJ entered an employee secondment Agreement with the State Impact Center.¹¹⁹
 - a. Under the terms of this Agreement, the State Impact Center agreed to “provide the services of one attorney to DOJ to act as a Legal Fellow.” This attorney, which DOJ agreed to provide “the title of Special Assistant Attorney General” would be paid a “salary and benefits” by the State Impact Center during a “one year” fellowship period, which could be extended to a second year upon mutual agreement.¹²⁰
 - b. The State Impact Center could terminate this Agreement, and thereby remove a SAAG, “for any reason upon seven (7) days’ written notice to DOJ.” DOJ could terminate the SAAG “for any reason upon seven (7) days’ written notice to the State Impact Center, provided that DOJ will attempt to resolve any performance issues” with the SAAG and the State Impact Center “before terminating the SAAG.”¹²¹
 - c. The Agreement provided that the SAAG would “be under the direction and control of, and owe a duty of loyalty to, DOJ, and will be subject to DOJ’s policies

¹¹⁵ DOJ00000389.

¹¹⁶ *Id.* at §§ 1(a)(i); 2.

¹¹⁷ *Id.* at § 4; *id.* at Appendix A.

¹¹⁸ *Id.* at Appendix B.

¹¹⁹ DOJ0000068.

¹²⁰ *Id.* at §§ A.1., A.2., A.4., B.1.

¹²¹ *Id.* at § A.6.

regarding employee conduct, including the policies regarding time and attendance, outside activities, conflicts of interests, and confidentiality.”¹²²

- d. DOJ agreed to assign the SAAG “substantive work” “primarily on matters relating to clean energy, climate change, and environmental matters of regional and national importance.” DOJ was not permitted to allow the SAAG to “participate” “in any matter that involves NYU or any of its affiliates.”¹²³
 - e. DOJ utilized the services of two SAAGs paid for by the State Impact Center.
 - i. Zachary Corrigan worked as a SAAG from May 2022 to October 2022.¹²⁴
 - ii. Karen Heineman worked as a SAAG from January 2024 to December 2025.¹²⁵
 - iii. The State Impact Center offered to provide a second fellow to DOJ in 2025. DOJ has not pursued this option.¹²⁶
 - f. While the State Impact Center paid the salary and benefits of the SAAGs, at least one SAAG, Karen Heineman, was reimbursed with taxpayer money for her travel and lunch to attend two different in-person court hearings.¹²⁷
3. DOJ’s SAAG arrangements with the State Impact Center and the PRP are unauthorized by the Wisconsin Statutes.
- a. DOJ, as an agency of the State of Wisconsin, may exercise only the authority provided to it by statute.¹²⁸ “[A]ny reasonable doubt of the existence of implied power of an administrative agency should be resolved against the exercise of such authority.”¹²⁹ No Wisconsin statute permits DOJ to utilize a privately-funded attorney without legislative approval. The Attorney General testified that he has authority to utilize such a SAAG through DOJ’s general duty to enforce state environmental laws.¹³⁰ However, Wis. Stat. § 299.95, which mandates that DOJ

¹²² *Id.* at § A.3.

¹²³ *Id.* at §§ B.2, C.2.

¹²⁴ DOJ000029 (Volunteer Agreement listing May 8, 2022, start date); DOJ000012 (email noting Corrigan accepted full time position at DOJ effective October 24, 2022).

¹²⁵ DOJ000182 (Volunteer Agreement listing January 22, 2024, start date); DOJ00010083 (Heineman resignation letter to State Impact Center listing last day of December 15, 2025).

¹²⁶ DOJ00009033 (July 15, 2025 email noting “NYU has said we can have a second fellow”); DOJ00009728 (November 19, 2024 email noting “second fellow” would be “focused on environmental justice”).

¹²⁷ *See* DOJ00007379 (detailing uncertainty in how to procedurally accomplish reimbursement).

¹²⁸ *Elroy-Kendall-Wilton Schs.*, 102 Wis. 2d at 278.

¹²⁹ *State (Dep’t of Admin.)*, 77 Wis. 2d at 136.

¹³⁰ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 2:59:35–3:00:55.

must enforce environmental laws, does not authorize DOJ to utilize attorneys paid by third parties.¹³¹

- b. DOJ's Agreements with PRP and the State Impact Center are a circumvention of the appropriations process. These Agreements allow outside groups to pay the salary of the SAAG directly. The Agreements provide resources to DOJ that have not been approved by the Legislature. The Wisconsin Constitution specifies that appropriations out of the state treasury may only be made by law.¹³² Long-established practice requires DOJ to either request an additional position and the funding for said position during the budget process, or make a Wis. Stat. § 13.10 request for additional resources.
- c. DOJ's categorization of the PRP's or the State Impact Center's free legal services as "gifts" does not avoid the appropriations problem. Wisconsin law contemplates such situations, and DOJ is required to request approval before spending any gifted funds.¹³³ Attorney General Kaul testified he was "not aware" that DOJ had ever made such a request.¹³⁴ A review of legislative records indicates that no such request was ever made.
- d. By entering into Agreements with the PRP and the State Impact Center, DOJ bypassed the codified, statutorily-mandated method for an agency to request increases in personnel and resources. This clearly circumvents Wisconsin's system of checks and balances.
- e. There are around 700 positions within DOJ across various units and divisions.¹³⁵ The Legislature approves and funds the positions it deems fit. Attorney General Kaul is aware of the process and requested a net 71 position increase in the 2023-2025 budget.¹³⁶ By seeking, coordinating, and receiving outside-funded SAAGs, DOJ increased its numbers in its Environmental Protection Unit without Legislative approval. Given the attention paid to these few, outside-funded positions, it is

¹³¹ That section provides: "The attorney general shall enforce chs. 281 to 285 and 289 to 295 and this chapter, except ss. 285.57, 285.59, and 299.64, and all rules, special orders, licenses, plan approvals, permits, and water quality certifications of the department, except those promulgated or issued under ss. 285.57, 285.59, and 299.64 and except as provided in ss. 281.36 (14) (f), 285.86 and 299.85 (7) (am)."

¹³² Wis. Const. art. VIII, § 2.

¹³³ See Wis. Stat. § 20.907(1).

¹³⁴ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 2:53:00–2:53:20.

¹³⁵ *Id.* at 35:40–36:00.

¹³⁶ *Id.* at 55:45–56:55.

noteworthy that according to a February 17, 2025 LFB Memo, as of January 1, 2026, DOJ had at least 24 other positions vacant for greater than six months.¹³⁷

4. DOJ's SAAG arrangements with the State Impact Center and the PRP open DOJ to influence from outside, partisan interests.
 - a. Dr. Nolette stated that it would be logical for the Committee to consider whether a SAAG was litigating according to the State Impact Center's preferences, and that, if not, the State Impact Center might not fund another SAAG.¹³⁸ The structure of the Agreement builds in a required consistency of the SAAG's activities with the preferences and vision of the State Impact Center.
 - b. In particular, the Agreement allows the State Impact Center to terminate the Agreement, and thus withdraw a SAAG placed at DOJ, for any reason upon 7 days' notice to DOJ.¹³⁹ This allows the State Impact Center to remove a SAAG from DOJ at its whim.¹⁴⁰ Such a dynamic provides a de facto veto of a SAAG's activity wholly unfamiliar to other situations where an executive branch constitutional officer claims to be in full control of an agency.¹⁴¹
 - i. The State Impact Center can terminate the SAAG for any reason, upon 7 days' notice to DOJ, and yet DOJ must notify the State Impact Center that it is dissatisfied with the SAAG. DOJ must then work with the State Impact Center and the SAAG to resolve any performance or other issues before DOJ can terminate the SAAG.¹⁴²
 - ii. The Agreement also indirectly allows DOJ access to various resources of the State Impact Center that DOJ would otherwise have to pay for. While not brought up in questioning on February 25th, the State Impact Center provided the SAAGs access to a host of electronic resources.¹⁴³ At least one of the SAAGs, Zachary Corrigan, shared electronic resources with other AAGs.¹⁴⁴ To the Committee's knowledge, DOJ did not obtain approval

¹³⁷ *Id.* at 35:40–39:35.

¹³⁸ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/24/senate-special-committee-on-oversight-of-the-department-of-justice-2/> (Feb. 24, 2026) at 56:50–57:35.

¹³⁹ DOJ000068 at § A.6.

¹⁴⁰ *Id.*

¹⁴¹ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/24/senate-special-committee-on-oversight-of-the-department-of-justice-2/> (Feb. 24, 2026) at 1:06:20–1:07:05.

¹⁴² DOJ000068 at § A.6.

¹⁴³ *See* DOJ00002203.

¹⁴⁴ *See* DOJ000091 (email noting loss of this access).

from JCF or the Ethics Commission to receive these gifts from a private party.

- c. The Agreements with the State Impact Center and the PRP, combined with DOJ's choice not to pursue legislative approval, create an arrangement that strongly appears to be a gift. Such a gift is prohibited by Wis. Stat. § 19.45(3) where, as here, it could "reasonably be expected to influence the state public official's...official actions or judgment." JCF has not approved, as would be required, the use of any gifts. *See* Wis. Stat. § 20.907(1).
 - d. The Attorney General cannot avoid this Wis. Stat. § 19.45(3) problem by declaring himself uninfluenced by the gift. He, and DOJ, arranged for SAAGs to accept ninety thousand dollars of gifted salary from a third-party while working as assistant attorneys general. Such gifts are prohibited by Wis. Stat. § 19.45(2).
 - e. The State Impact Center, while holding itself out as non-partisan, is largely funded by Bloomberg Philanthropies which, along with its founder, regularly donates millions of dollars to Democrats and various left-of-center projects.¹⁴⁵ The State Impact Center states that it would partner with any AG, but its staff have stated that it provides "progressive" AGs support.¹⁴⁶ To date, the State Impact Center has placed SAAGs only with Democratic AGs.¹⁴⁷ And the State Impact Center's advisory board is composed solely of individuals with ties to the Democratic Party.¹⁴⁸ PRP similarly receives funding from liberal individuals and foundations.¹⁴⁹ The structure and existence of the Agreements between DOJ and the State Impact Center and between DOJ and PRP make DOJ vulnerable to out-of-state, partisan influence.
5. The privately-funded SAAGs exercise the same authority over Wisconsin citizens as legislatively approved AAGs.

¹⁴⁵ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 19:35–21:00; Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/24/senate-special-committee-on-oversight-of-the-department-of-justice-2/> (Feb. 24, 2026) 3:20:25–3:21:40.

¹⁴⁶ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 2:38:15–2:38:35.

¹⁴⁷ *Id.* at 2:36:15–2:38:40.

¹⁴⁸ *Id.* at 2:38:35–2:41:25.

¹⁴⁹ *See generally* <https://www.publicrightsproject.org/about/partners/>.

- a. While classified as “volunteers,” the SAAGs have the same authority as an AAG to prosecute Wisconsinites and defend the State.¹⁵⁰
 - b. DOJ provided an incomplete list of cases to which the SAAGs were assigned.¹⁵¹ Combined, the State Impact Center SAAGs were assigned at least 35 cases—a number that does not include their work on pre-enforcement and regulatory actions, or any cases in which they may have assisted absent formal assignment.
 - c. At least one SAAG, Zachary Corrigan, worked on a matter of national importance. He signed a comment on a federal rule that would set greenhouse gas emissions standards for highways as a Special Assistant Attorney General on behalf of the State of Wisconsin.¹⁵² As this rule implicated a policy choice impacting all Wisconsinites, it is exceptionally concerning the funding for the SAAG came from a group with an expressed agenda on the issue.
6. DOJ violated Wis. Stat. § 165.055.
- a. All three SAAGs, two funded by the State Impact Center and one funded by the PRP, took their titles and positions without appointment letters. Accordingly, no appointment letters were filed with the Secretary of State as required by Wis. Stat. § 165.055(1) for assistant attorneys general. Given no position authority or funding was sought or received from the Legislature, filing appointment letters would be the only way anyone outside DOJ could reasonably know of the SAAGs’ existence.
 - b. The SAAGs took their oaths of office after commencing their work at DOJ. Mr. Corrigan, Wisconsin’s first State Impact Center-funded SAAG, took his oath over two months after he began work at DOJ.¹⁵³ Ms. Heineman, the second State Impact Center-funded SAAG, was assigned at least three cases before taking her oath. Her oath was not filed with the Secretary of State for an additional six months.¹⁵⁴ Mr. Stroud, the PRP-funded SAAG, took his oath two months after his start date at DOJ.¹⁵⁵ The text of all three oaths included that the undersigned has been

¹⁵⁰ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 1:05:25–1:05:40; 1:28:25–1:30:00.

¹⁵¹ See Appendix 2.

¹⁵² See <https://www.regulations.gov/comment/FHWA-2021-0004-39692> (the pdf available for download at this website shows Corrigan signed onto this comment as a “Special Assistant Attorney General” on behalf of the State of Wisconsin); Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 42:00–42:40.

¹⁵³ Senate Special Committee on Oversight of the Department of Justice, WisEye, <https://wiseye.org/2026/02/25/senate-special-committee-on-oversight-of-the-department-of-justice/> (Feb. 25, 2026) at 1:41:55–1:49:05. Appendix 2, Ex. 11.

¹⁵⁴ *Id.* at 1:49:40–1:52:05; Appendix 2, Ex 13.

¹⁵⁵ *Id.* at 1:52:05–1:54:25; Appendix 2, Ex 14.

“appointed to the office of Assistant Attorney General but ha[s] not yet entered upon the duties thereof,” despite the fact that all three had entered upon those duties *before* taking the oath.¹⁵⁶

- c. The gap between the SAAGs’ start and oath dates, and the filing of those oaths with the Secretary of State, is in contradiction of Wis. Stat. § 165.055(1), which provides that “[t]he attorney general may appoint a deputy attorney general and assistants each of whom shall be an attorney at law admitted to practice in this state” and that “[s]uch appointments shall be made in writing and filed in the office of the Secretary of State, and such appointees shall take and subscribe the constitutional oath of office which shall also be filed.” SAAGs prosecuting Wisconsinites without having taken an oath raises concerns about whether the employee and the State are properly protected with civil immunity.
 - d. Mr. Stroud was not licensed to practice law in Wisconsin when he began his term with DOJ, despite the Wis. Stat. § 165.055’s exhortation that any appointed assistant attorneys general be “admitted to practice in [Wisconsin].”¹⁵⁷
 - e. DOJ repeatedly failed to comply with Wis. Stat. § 165.055 despite it being at the heart of Chapter 165 entitled “Department of Justice.” The Committee is aware that DOJ is responsible for enforcing and complying with a wide array of laws and that there can be gray areas. Section 165.055 is no such case. It creates bright-line, definitional requirements for the Attorney General and DOJ—leaving no room for interpretation.
7. A complaint against Attorney General Kaul alleging that his use of State Impact Center-funded SAAGs violates Wisconsin ethics laws is pending with the Wisconsin Ethics Commission.
- a. The Wisconsin Ethics Commission is currently investigating an allegation against Attorney General Kaul that, by employing State Impact Center-funded SAAGs, he unlawfully accepted free legal services in violation of Wis. Stat. § 19.45(3).¹⁵⁸
 - b. This complaint was filed on February 12, 2025.¹⁵⁹ Over a year later, the Commission has yet to issue a decision on this complaint.

¹⁵⁶ *Id.* at 1:43:45–1:52:20.

¹⁵⁷ *Id.* at 1:54:20–1:57:00.

¹⁵⁸ See DOJ00006731 (Ethics Complaint).

¹⁵⁹ See *id.*

PART IV: RECOMMENDATIONS

The Senate Special Committee on Oversight of the Department of Justice recommends seven actions be taken in light of its findings:

1. The Agreements with the State Impact Center and PRP are not authorized under existing law and should be immediately terminated. No similar agreements should be entered into in the future without legislative approval.
 - a. No Wisconsin Statute authorizes the Attorney General to deputize an attorney paid for by out-of-state public interest groups as an assistant attorney general.
 - b. The Agreements put our constitutional separation of powers under serious strain.
 - c. The Agreements create dependence upon third parties and a means for private groups to influence DOJ's actions.
2. DOJ's recent practices using SAAGs paid for by third-party sources should be formally rejected via legislation reiterating such practices are unauthorized.
 - a. After taking testimony and reviewing documents DOJ provided, the Committee believes categorical, statutory resolution should be pursued, even though this practice is unlawful under current law.
 - b. When addressed in a context apart from recent practice, the Committee hopes the principles of legislative authorization, ethics and oversight can be implemented free from the passions of any particular political moment.
3. For scenarios that remain after the implementation of recommendation number two, legislative oversight via the biennial budget and the Wis. Stat. § 13.10 process should be clarified and reinforced.
4. The Legislature should pass legislation to ensure that only state employees, approved and authorized through the legislative branch, can ever prosecute a Wisconsin citizen.
 - a. The use of prosecutorial powers to enforce punishments upon Wisconsin citizens should never be outsourced.
5. DOJ must take corrective measures to ensure that all assistant attorneys general, and any similarly situated counsel, are: (1) properly licensed in Wisconsin, (2) appointed in writing, (3) taking the required oath of office *before* commencing duties, and (4) having the necessary letters and oaths filed with the Secretary of State as required by Wis. Stat. § 165.055.
6. The Legislature should pass legislation to establish timelines for the Wisconsin Ethics Commission regarding the issuance of opinions in response to ethics complaints.

- a. Such legislation would ensure significant allegations affecting public trust are not left indefinitely pending.
 - b. The long outstanding pendency of a formal ethics complaint on one of the topics this Committee has reviewed increased the difficulty of the Committee conducting oversight. The Committee respects the Ethics Commission and the Ethics Commissioner, and does not wish to prejudice their inquiry. However, the Legislature's oversight functions cannot remain perpetually dormant when a formal complaint remains pending.
7. The Wisconsin State Senate should follow up with DOJ to ensure it conducts a purposeful and all-inclusive search of its records as requested on December 18, 2025.
 - a. The Committee reasonably infers that documents responsive to its request likely exist but have not been produced because of a lack of purposeful search. Testimony from the Attorney General and the format and timing of handing of records production indicates only records already identified from other requests or litigation was given to the Committee.
 - b. There was not a separate search using the terms, definitions and expanded legal authority of the Committee's request under Wis. Stat. § 13.45(7). Three supplemental document productions since January 23, 2026 reinforce this inference.

APPENDIX 1: COMMITTEE DOCUMENTS



DEVIN LEMAHIEU

SENATE MAJORITY LEADER

TO: Members of the Committee on Senate Organization

FROM: Senator Devin LeMahieu, Chair

DATE: December 15, 2025

SUBJECT: Ballot 25-015 ~ Creating a Senate Special Committee

The Committee on Senate Organization, by a vote of Ayes, 3 (LeMahieu, Felzkowski, and Feyen); Noes, 2 (Hesselbein and Smith); and Not Voting, 0; has approved the following motion:

[MOTION] *It is moved, pursuant to Senate Rule 21, that a special committee be created the object of which is oversight of the Wisconsin Department of Justice. It shall be named the Special Committee on Oversight of the Department of Justice. The basis for this motion and the objectives, purposes, and responsibilities of the Special Committee, in addition to membership and staffing issues, are set forth below.*

LEGISLATIVE AUTHORITY OVER THE DEPARTMENT OF JUSTICE

For several reasons, and in several ways, the Wisconsin Constitution and statutes grant the Wisconsin State Legislature and its houses broad oversight authority over the Executive Branch and its agencies.

Powers to Create and Abolish Department, Enumerate and Limit Its Powers, Supply Its Funding, and Circumscribe Its Litigation Authority

In the first place, it is the Legislature that “create[s] administrative agencies.” *Koschkee v. Taylor*, 2019 WI 76, ¶ 13; *see also* Kirsten Koschnick, Comment, *Making “Explicit Authority” Explicit: Deciphering Wis. Act 21’s Prescriptions for Agency Rulemaking Authority*, 2019 Wis. L. Rev. 993, 1004.

By implication, the Legislature “may withdraw powers which have been granted, prescribe the procedure through which granted powers are to be exercised, and, if necessary, wipe out the agency entirely.” *State v. Whitman*, 196 Wis. 472, 220 N.W. 929, 942 (1928); *see also Brown Cnty. v. Dep’t of Health & Soc. Servs.*, 103 Wis. 2d 37, 43, 307 N.W.2d 247 (1981). It also follows that “[a]n agency or board created by the legislature has only those powers which are expressly conferred or which are necessarily implied from the statutes under which it operates.” *Elroy-Kendall-Wilton Schs. v. Coop. Educ. Serv. Agency, Dist. 12 (CESA 12)*, 102 Wis. 2d 274, 278, 306 N.W.2d 89 (Ct. App. 1981).

The Legislature also “has constitutional authority over appropriations,” including to agencies. *Kaul v. Wis. State Legislature*, 2025 WI 23, ¶ 13; *Evers v. Marklein* (“*Marklein I*”), 2024 WI 31, ¶ 14 (noting that this power “fall[s] squarely within the legislative power”).

This authority, “combined with [the taxing power in] Article VIII, Section 5, empower[s] the legislature to make policy decisions regarding taxing and spending.” *Marklein I*, 2024 WI 31, ¶ 14 (cleaned up). It is therefore clear that “[c]ontrolling the expenditure of state funds through lawmaking constitutes an exercise of the legislature’s appropriation authority.” *Id.*; see also *Flynn v. Dep’t of Admin.*, 216 Wis. 2d 521, 540, 576 N.W.2d 245 (1998).

The Department of Justice is fully subject to these legislative powers. The Legislature created the agency by enactment of Wis. Stat. § 15.25. Through Chapter 165, the Legislature has specifically enumerated the duties and carefully circumscribed the authorities of this agency. See generally Wis. Stat. ch. 165. The agency also is entirely dependent upon appropriations for funding, which appropriations can be made only by the Legislature.

In addition, case law makes clear that the “Legislature can by law empower DOJ to represent the state in litigation and prescribe the limits and ends of that power.” *Kaul*, 2025 WI 23, ¶ 3.

And, of course, concomitant with its power “to decide what the law shall be,” the Legislature alone “confer[s] authority and discretion on the executive branch, which then must execute it under and in pursuance of the law.” *Id.* ¶ 17 (cleaned up). So, while the Legislature cannot participate in the execution of law, it determines the policies that the agency is charged by law to implement.

Oversight and Investigative Authority

To ensure that the duties and responsibilities of agencies are being faithfully carried out, and that their priorities and activities are furthering the best interests of the People it serves, the Legislature has very broad oversight and investigative authority over these departments. See *Marklein I*, 2024 WI 31, ¶ 20 (“[T]he legislature retains the authority to conduct oversight investigations and audits of administrative agencies.”).

This power is a corollary of the Legislature’s lawmaking function as well, separate and apart from its interest in ensuring that agencies are acting appropriately. Hence, as the Supreme Court explained in 1909, this authority allows the Legislature to “investigate any subject respecting which it may desire information in aid of the proper discharge of its function to make or unmake written laws, or perform any other act delegated to it by the fundamental law . . . and to proceed, with that end in view, by a duly authorized committee of one or both branches of the Legislature and to incur reasonably necessary expenses, payable out of the public funds.” *State v. Frear*, 138 Wis. 173, 119 N.W. 894, 895 (1909) (*per curiam*).

Opinions from the Attorney General agree. They confirm, for example, that incidental to the Legislature’s power to enact laws is the ability to obtain the information needed to inform lawmaking. 20 Op. Atty. Gen. 765, 766 (1931). This authority is “necessary” and may be used “to obtain any information that may assist it in legislating, and may compel the attendance of witnesses to that end.” *Id.* The power is also fundamental: legislative power is ultimately constitutional in nature, and statutes and rules provide procedures for the Legislature to follow in the exercise of its authority. 1 Op. Atty. Gen. 259, 260–62 (1913).

OBJECTIVES, PURPOSES, AND RESPONSIBILITIES OF THE SPECIAL COMMITTEE; MEMBERS AND STAFF

In furtherance of its responsibilities, and consistent with the powers described above, the Special Committee is formed pursuant to Senate Rule 21 to conduct a thorough and impartial examination, investigation, and audit of the operations and priorities of the Wisconsin Department of Justice. This committee shall assess whether the Department is acting consistent with its statutory responsibilities and serving the interests of the people of Wisconsin.

In particular, the committee shall investigate, among other topics, the extent to which the Department may be subject to influence from external organizations, advocacy groups, or third-party funding sources, and whether such influence compromises its independence, judgment, loyalty, or accountability to the people of Wisconsin.

This inquiry is essential to ensure transparency, uphold public trust, and safeguard the integrity of the Department's decision-making processes. It is also necessary to inform the lawmaking function of the Legislature as applied to the Department's operations and authorities, a likely topic of future legislation.

The Special Committee shall begin its work by conducting oversight and investigations on the subject of the Department of Justice's Relationship to the New York University School of Law's State Energy & Environmental Impact Center ("State Impact Center") and Bloomberg Philanthropies. Since 2016, the State Impact Center—established through a grant from Bloomberg Philanthropies—has placed law fellows within the offices of state attorneys general. The State Impact Center began placing law fellows in the Wisconsin Department of Justice in 2021. These fellows, whose salaries are paid exclusively by NYU with funds provided by Bloomberg Philanthropies, participate in strategy discussions, court appearances, and advocacy efforts that align with the donor's climate-focused campaigns. This arrangement has raised ethical concerns, in other states and at the federal level, regarding the independence of state legal offices and the potential for undue influence by external organizations and third-party funding sources. The involvement of the State Impact Center and Bloomberg Philanthropies in shaping the priorities and actions of state departments of justice, including Wisconsin's, has prompted calls for legislative oversight to ensure transparency, accountability, and the protection of the public interest.

The committee shall hold hearings and take testimony. The committee may hold hearings in Wisconsin at locations outside of Madison. Committee members and the committee clerk may be reimbursed for actual and necessary expenses incurred in attending any hearing outside of Madison. Such reimbursement is not charged against the Senator's office account.

The committee shall consist of six members, with four members representing the majority party and two members representing the minority party. Minority party members shall be appointed based upon nomination of the Minority Leader.

The Legislative Council Staff shall provide staff counsel to the committee, who shall attend every meeting of the committee and assist the committee clerk with the production of documents for the committee. The Sergeant at Arms shall provide staff support at every meeting of the committee.

No later than April 14, 2026, the committee shall issue a report and recommendations, which may include legislation, to the Chief Clerk for distribution to each Senator.

Please feel free to contact my office if you have any questions.

DL:eg

Senate

EXECUTIVE SESSION

Special Committee on Oversight of the Department of Justice

The committee will hold an executive session on the following items at the time specified below:

Thursday, December 18, 2025

3:00 PM

300 Southeast

Request for Documents from DOJ

Records pertaining to communications, documents, agreements and activities of legal fellows working at the Department of Justice with connections to outside organizations

Mary P. Felzkowski

Senator Mary Felzkowski
Chair



OVERSIGHT
OF
THE DEPARTMENT
OF JUSTICE

Motion 1

As provided under s. 13.45 (7), Stats., the Senate Special Committee on the Oversight of the Department of Justice requests the following information from the Department of Justice (DOJ) to assist the Committee in its investigation of DOJ internal operations and administrative priorities:

1. Any agreements, memoranda of understanding, or other contracts or documents or records between DOJ and the New York University ("NYU") School of Law's State Energy & Environmental Impact Center ("State Impact Center") or any other external organization, advocacy groups, or third-party funding source relating to the exchange or utilization of a legal fellow between January 1, 2019, to the present.
2. Any internal documents, communications, or records, including records of internal meetings, meeting minutes, and emails concerning the decision to contract with the State Impact Center or any other external organization, advocacy groups, or third-party funding source to secure a legal fellow, including any negotiations of any contracts or agreements from January 1, 2019 to the present.
3. Any documents, communications, or records between or among DOJ, the State Impact Center, Bloomberg Philanthropies, or any other external organization, advocacy groups, or third-party funding source from January 1, 2019 to the present regarding: (a) a legal fellow; (b) environmental policy; (c) DOJ's participation in national cases, including litigation and comments on federal rules.
4. Any documents, communications, and records, from January 1, 2019, to the present, submitted or sent to DOJ by Wisconsin for Environmental Justice, Midwest Environmental Advocates, the Center for Climate Integrity, Corporate Accountability, and/or U.S. Climate Alliance (collectively, "the Organizations"), or submitted or sent to the Organizations by DOJ, relating to the State Impact Center or to securing a legal fellow from the State Impact Center. This request includes, but is not limited to, documents, communications, and records to or from the individual members or alumni of the Organizations.
5. Any documents, communications, or records between DOJ and the State Impact Center or any other external organization, advocacy groups, or third-party funding source related to the media or press releases concerning DOJ, Wisconsin, or the State Impact Center from January 1, 2019 to the present.
6. DOJ's applications, supporting materials, and records submitted to the State Impact Center or any other external organization, advocacy groups, or third-party funding source concerning the hiring or utilization of a legal fellow between January 1, 2019 to the present.



OVERSIGHT
of
THE DEPARTMENT
OF JUSTICE

7. Any agreements, including volunteer agreements, memoranda of understanding, or other contracts or documents or records, including drafts, amendments, or related correspondence, between DOJ and any State Impact Center fellow, or fellow funded by another external organization, advocacy group, or third-party funding source used by DOJ between January 1, 2019 to the present.
8. Any DOJ or Wisconsin Department of Administration (DOA) position classification, position description, or other record, including a job posting, describing duties for "Special Assistant Attorney General" or used for any legal fellow from the State Impact Center or any other external organization, advocacy groups, or third-party funding source used by DOJ between January 1, 2019 to the present.
9. Any documents, communications, or records demonstrating the amounts paid to or paid on behalf of a legal fellow from the State Impact Center or any other external organization, advocacy groups, or third-party funding source by the state including Zachary Corrigan and Karen Heineman. This request includes, but is not limited to, an itemization of the funds from which costs were paid from January 1, 2019 to the present.
10. Any agreements, memoranda of understanding, employment or volunteer contracts, appointment letters, or other documents or records relating to duties, employment, or work status between January 1, 2019 to the present of: Zachary Corrigan, Karen Heineman, and any other State Impact Center legal fellow or a legal fellow funded by another external organization, advocacy group, or third-party funding source used by DOJ.
11. Any documents, communications, or records explaining the decision-making authority of the legal fellow from the State Impact Center or a legal fellow funded by another external organization, advocacy group, or third-party funding source used by DOJ between January 1, 2019 to the present.
12. Records and documents identifying the matters and cases the legal fellow from the State Impact Center or a legal fellow funded by another external organization, advocacy group, or third-party funding source were assigned to from January 1, 2019 to the present. This request is limited to non-privileged documents and records.

Vote Record

Special Committee on Oversight of the Department of Justice

Date: 12/18/25

Bill Number: _____

Moved by: Tomczyk

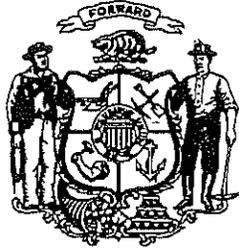
Seconded by: Jacque

Motion: 1

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Excused</u>	<u>Not Voting</u>
Senator Mary Felzkowski, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Cory Tomczyk, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator André Jacque	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Eric Wimberger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Jodi Habush Sinykin	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Melissa Ratcliff	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>4</u>	<u>2</u>	_____	_____

Motion Carried

Motion Failed



WISCONSIN STATE SENATE

P. O. Box 7882 Madison, WI 53707-7882

Senate Special Committee on Oversight of the Department of Justice

SUBPOENA AD TESTIFICANDUM

STATE OF WISCONSIN)
)
COUNTY OF DANE)

THE STATE OF WISCONSIN TO:

Joshua Kaul
Attorney General
17 West Main Street
Madison, Wisconsin 53703

The Special Committee on Oversight of the Department of Justice of the Wisconsin Senate is conducting an investigation, pursuant to the authority of the Wisconsin Senate, the Rules of the Senate, and Wis. Stat. §§ 13.26 through 13.36.

PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO APPEAR in person before the Senate Special Committee on Oversight of the Department of Justice on February 25, 2026 at 10:00 a.m. at room 411 South in the Wisconsin State Capitol to give testimony with regard to the operations and priorities of the Wisconsin Department of Justice. Such inquiry will include, but will not be limited to, the extent to which the Department may be subject to influence from external organizations, advocacy groups, or third-party funding sources, and whether such influence compromises its independence, judgment, loyalty, or accountability to the people of Wisconsin. Such inquiry will include the requests for documents previously issued by the Committee to the Department of Justice on December 18, 2025, which are attached as Exhibit A.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Witness my hand at the City of Madison, Wisconsin, this 5th day of February, 2026.

WISCONSIN STATE SENATE

By: Mary F. Felzkowski
Senator Mary Felzkowski, President and Chairperson
Wisconsin State Senate

By: Cyrus Anderson
Cyrus Anderson
Wisconsin State Senate, Chief Clerk

Order for Service and Return

The Senate Sergeant at Arms, or his designee, shall serve this subpoena and its attachments forthwith, and make return to

Senator Mary Felzkowski, Chairperson
The Wisconsin Senate Special Committee on Oversight of the Department of Justice
State Capitol
PO Box 7882
Madison, WI 53707

Exhibit A



OVERSIGHT
THE DEPARTMENT
OF JUSTICE

December 18, 2025

(Via US Mail & Email)

Wisconsin Department of Justice
17 West Main Street
Madison, Wisconsin 53703

Government Affairs Director McKinny:

The Senate Special Committee on Oversight of the Department of Justice (the "Committee") was formed to conduct a thorough and impartial examination, investigation, and audit of the operations and priorities of the Wisconsin Department of Justice ("DOJ"). In particular, the Committee was tasked with investigating the extent to which DOJ may be subject to influence from external organizations, advocacy groups, or third-party funding sources, and whether such influence compromises its independence, judgment, loyalty, or accountability to the people of Wisconsin. For more information, please see the enclosed Motion approved by the Senate Committee on Organization.

In furtherance of these purposes, and pursuant to Wis. Stat. § 13.45(7), the Committee hereby demands that DOJ provide the documents and information contained in the enclosed 'Motion 1' to the Committee no later than January 19, 2025. Documents and information should be produced in electronic format. To the extent that such documents or information exist in electronic format, please provide them in their native format. Such documents should be provided to SCODOJ@legis.wiscosin.gov.

As used in the requests below, "record" means all originals and drafts, and includes, but is not limited to, writings, drafts, summaries, letters, emails, contracts, agreements, resolutions, photographs, studies, notes, summaries, memoranda, electronically stored information, calendar entries, minutes of meetings, agendas, bank statements, ledgers, voice-mail messages, videotapes, facsimile transmissions, and other electronic or computerized data compilations stored in any medium. "Record" includes every transmittal or receipt of facts, including transmission by a messaging app such as iMessage, WhatsApp, Signal, or any other similar messaging service. "Record" also includes websites, blogs, and applications that enable users to create, post, or share



content such as Facebook, LinkedIn, X (formerly Twitter), MySpace, Instagram, Google+, Snapchat, Vine, Tumblr, Pinterest, Kik, Reddit, VSCO, YouTube, TikTok, and Meetup.

Any questions about these requests should be directed to Senator Mary Felzkowski, Chairperson of the Special Committee on Oversight of the Department of Justice at Sen. Felzkowki@legis.wisconsin.gov, (608)266-2509.

Chairperson Mary Felzkowski

Enclosure

Cc: Anne Sappenfield, Legislative Council
Sen. Tomczyk, Vice-Chair
Sen. Habush Sinykin, Ranking Member
Sen. Jacque, Member
Sen. Wimberger, Member
Sen. Ratcliff, Member



Motion 1

As provided under s. 13.45 (7), Stats., the Senate Special Committee on the Oversight of the Department of Justice requests the following information from the Department of Justice (DOJ) to assist the Committee in its investigation of DOJ internal operations and administrative priorities:

1. Any agreements, memoranda of understanding, or other contracts or documents or records between DOJ and the New York University ("NYU") School of Law's State Energy & Environmental Impact Center ("State Impact Center") or any other external organization, advocacy groups, or third-party funding source relating to the exchange or utilization of a legal fellow between January 1, 2019, to the present.
2. Any internal documents, communications, or records, including records of internal meetings, meeting minutes, and emails concerning the decision to contract with the State Impact Center or any other external organization, advocacy groups, or third-party funding source to secure a legal fellow, including any negotiations of any contracts or agreements from January 1, 2019 to the present.
3. Any documents, communications, or records between or among DOJ, the State Impact Center, Bloomberg Philanthropies, or any other external organization, advocacy groups, or third-party funding source from January 1, 2019 to the present regarding: (a) a legal fellow; (b) environmental policy; (c) DOJ's participation in national cases, including litigation and comments on federal rules.
4. Any documents, communications, and records, from January 1, 2019, to the present, submitted or sent to DOJ by Wisconsin for Environmental Justice, Midwest Environmental Advocates, the Center for Climate Integrity, Corporate Accountability, and/or U.S. Climate Alliance (collectively, "the Organizations"), or submitted or sent to the Organizations by DOJ, relating to the State Impact Center or to securing a legal fellow from the State Impact Center. This request includes, but is not limited to, documents, communications, and records to or from the individual members or alumni of the Organizations.
5. Any documents, communications, or records between DOJ and the State Impact Center or any other external organization, advocacy groups, or third-party funding source related to the media or press releases concerning DOJ, Wisconsin, or the State Impact Center from January 1, 2019 to the present.
6. DOJ's applications, supporting materials, and records submitted to the State Impact Center or any other external organization, advocacy groups, or third-party funding source concerning the hiring or utilization of a legal fellow between January 1, 2019 to the present.



7. Any agreements, including volunteer agreements, memoranda of understanding, or other contracts or documents or records, including drafts, amendments, or related correspondence, between DOJ and any State Impact Center fellow, or fellow funded by another external organization, advocacy group, or third-party funding source used by DOJ between January 1, 2019 to the present.
8. Any DOJ or Wisconsin Department of Administration (DOA) position classification, position description, or other record, including a job posting, describing duties for "Special Assistant Attorney General" or used for any legal fellow from the State Impact Center or any other external organization, advocacy groups, or third-party funding source used by DOJ between January 1, 2019 to the present.
9. Any documents, communications, or records demonstrating the amounts paid to or paid on behalf of a legal fellow from the State Impact Center or any other external organization, advocacy groups, or third-party funding source by the state including Zachary Corrigan and Karen Heineman. This request includes, but is not limited to, an itemization of the funds from which costs were paid from January 1, 2019 to the present.
10. Any agreements, memoranda of understanding, employment or volunteer contracts, appointment letters, or other documents or records relating to duties, employment, or work status between January 1, 2019 to the present of: Zachary Corrigan, Karen Heineman, and any other State Impact Center legal fellow or a legal fellow funded by another external organization, advocacy group, or third-party funding source used by DOJ.
11. Any documents, communications, or records explaining the decision-making authority of the legal fellow from the State Impact Center or a legal fellow funded by another external organization, advocacy group, or third-party funding source used by DOJ between January 1, 2019 to the present.
12. Records and documents identifying the matters and cases the legal fellow from the State Impact Center or a legal fellow funded by another external organization, advocacy group, or third-party funding source were assigned to from January 1, 2019 to the present. This request is limited to non-privileged documents and records.

Senate

INFORMATIONAL HEARING

Special Committee on Oversight of the Department of Justice

The committee will hold a public hearing on the following items at the time specified below:

Tuesday, February 24, 2026
10:00 AM
411 South

Testimony will be Provided by Invited Speakers Only

Dr. Paul Nolette

Marquette University - Director Les Aspin Center for Government

Wisconsin Manufacturers and Commerce

Phil Mlsna

Annette Meaks

Freedom Foundation of Minnesota

Mary F. Felzkowski

Senator Mary Felzkowski
Chair

Senate

INFORMATIONAL HEARING

Special Committee on Oversight of the Department of Justice

The committee will hold a public hearing on the following items at the time specified below:

Wednesday, February 25, 2026
10:00 AM
411 South

Testimony from scheduled speakers only

Attorney General Josh Kaul

Senator Mary Felzkowski
Chair

Senate

EXECUTIVE SESSION

Special Committee on Oversight of the Department of Justice

The committee will hold an executive session on the following items at the time specified below:

Tuesday, March 31, 2026
12:00 PM
411 South

Committee Report and Recommendations

Mary P. Felzkowski

Senator Mary Felzkowski
Chair

APPENDIX 2: LIST OF HEARING MATERIALS



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**Informational Hearing
Special Committee on Oversight of the Department of Justice
February 23, 2026**

Dr. Paul Nolette
Professor, Marquette University Department of Political Science
Director, Les Aspin Center for Government

Chair Felzkowski, Vice Chair Tomczyk, and Members of the Special Committee:

Thank you for inviting me to testify. My role today is to describe, from an academic perspective, how state attorneys general, across parties and across decades, have used outside attorneys and externally supported legal capacity, and how legislatures have historically approached oversight of those practices.

A threshold point is that the use of legal resources outside an attorney general's permanent payroll is not new, not confined to any single policy area, and not confined to either political party. It is a long-standing feature of state enforcement.

At the same time, the use of resources outside of AG offices has raised recurring oversight questions over time, and there are important considerations for the committee as it carries out its responsibilities.

It is helpful to think about attorneys general's use of non-AG staff as falling into five broad categories.

First, contingency-fee outside counsel.

States regularly retain private law firms to litigate large, complex matters where internal capacity is limited or financial risk is high. Well-known examples include the tobacco litigation of the 1990s, opioid litigation over the last decade, major antitrust actions, and large consumer-protection and False Claims Act cases.

These arrangements have been used by Republican and Democratic attorneys general alike. For example, Republican attorneys general such as former Ohio Attorney General Mike DeWine and current Texas Attorney General Ken Paxton have retained outside firms in opioid and consumer-protection matters, and Utah Attorney General Sean Reyes has retained outside contingency-fee firms in natural resource and environmental contamination cases. On the Democratic side, states such as New York under Attorney General Letitia James and California under Attorney General

Rob Bonta have likewise retained private contingency-fee firms in opioid, antitrust, consumer-protection, and environmental enforcement litigation.

These arrangements are typically governed by contracts, and many states require legislative or executive approval, fee caps, and public disclosure.

Second, pro bono or reduced-fee representation.

Large law firms often assist attorneys general without payment or at substantially reduced rates, particularly in appellate briefing, complex discovery, or specialized regulatory matters. This has occurred in civil-rights, consumer-protection, antitrust, and environmental litigation.

Relatedly, university law school clinics increasingly partner with attorneys general offices – often through programs coordinated with the National Association of Attorneys General – to provide students and faculty support on public-interest litigation, administrative law, and policy projects. While less visible than contingency arrangements, these models likewise rely on outside lawyers performing public enforcement work.

Third, intergovernmental and multistate staffing.

States routinely share legal research, briefing, and drafting across multistate coalitions, and sometimes cross-designate attorneys to facilitate that work. This pooling of resources is now a standard feature of modern state enforcement.

Fourth, special assistant or seconded attorneys.

In this model, attorneys are formally appointed into an attorney general’s office – often as “special assistant attorneys general” – but are paid by an external entity such as a private firm, nonprofit organization, or philanthropic funder. This includes organizations such as the State Energy & Environmental Impact Center at NYU School of Law.

This structure has existed for several years across multiple issue areas. Some states have appointed private-firm lawyers as special assistants to assist with antitrust and consumer-protection enforcement. Nonprofit-funded fellows have supported civil-rights, labor, and environmental enforcement in multiple states. For example, the Massachusetts Attorney General’s Office has hosted a Public Rights Project fellow to support civil-rights work. Philanthropically funded staff supporting environmental and climate-related litigation fit within this broader category.

Fifth, high-profile constitutional and social-policy litigation using outside counsel.

Republican and Democratic attorneys general have both relied on external lawyers in high-profile cases involving contested social and constitutional issues. For example, former Kansas Attorney

General Derek Schmidt participated in multistate litigation concerning contraception mandates and religious liberty. Texas Attorney General Ken Paxton has worked with America First Legal as outside counsel in litigation challenging federal immigration policies and Title IX regulations. And Paul Clement, a former U.S. Solicitor General, was retained by a coalition of Republican attorneys general to lead the Supreme Court challenge to the Affordable Care Act in *NFIB v. Sebelius*.

Democratic attorneys general, meanwhile, have worked with outside public-interest organizations and private firms in litigation defending the Affordable Care Act, challenging federal immigration and environmental policy, and contesting various social policy issues – for example, New York Attorney General Letitia James and California Attorney General Rob Bonta have partnered with outside nonprofit and private counsel in multistate constitutional litigation on immigration and healthcare.

All these models have, at one point or another, raised questions and important issues touching on three core areas.

First, who controls the work?

The core safeguard is that the attorney general retains supervisory authority, sets litigation positions, and can remove the attorney.

Second, what conflicts-of-interest rules apply?

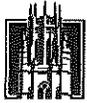
Special assistants and outside counsel are – and should be – generally subject to state ethics rules and professional-responsibility obligations, including conflict screening and recusal.

Third, what transparency and approval mechanisms exist?

Many states require public contracts, disclosure of funding sources, legislative or executive approval above certain thresholds, and periodic reporting.

From an ethics perspective, the two most discussed models – outside counsel and embedded fellows – raise different types of risks. Outside counsel arrangements primarily raise concerns about financial conflicts and incentives tied to fees or recoveries. Embedded fellowship models primarily raise concerns about transparency and perceived donor influence. Historically, neither model has been treated as *inherently* unethical. Legislatures have instead addressed both through disclosure requirements, conflict screening, and clear supervisory-control requirements.

In closing, the current discussion about philanthropic-funded special assistants does not represent a departure from these historical categories. It is better understood as one variation within the long-standing practice of supplementing public enforcement capacity with external legal resources.



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That does not mean oversight concerns are illegitimate, however. Legislatures have repeatedly chosen to respond not by banning all outside legal assistance, but by establishing guardrails such as disclosure requirements, approval processes, and auditing. For example, Texas, Florida, and Virginia have requirements that all contingency-fee contracts by the state AG are reviewed either by the state legislature, the governor, or both. Many states, including Wisconsin, require public disclosure of private counsel retained by the AG's office, and several states allowing auditing of such contracts.

I appreciate the opportunity to provide this broader landscape so the committee can evaluate any arrangements in the Attorney General's office in light of historical practice among state AG offices.

Thank you, and I look forward to your questions.



Testimony

of

Evan Umpir,

General Counsel & Director of Tax, Transportation, and Legal Affairs

and

Adam Jordahl,

Director of Environmental and Energy Policy

at

Wisconsin Manufacturers and Commerce

before the

Senate Special Committee on Oversight of the Department of Justice

February 24, 2026

Wisconsin Manufacturers & Commerce (WMC) appreciates the opportunity to testify before the Special Committee on Oversight of the Department of Justice. Founded in 1911, WMC is the state's combined chamber of commerce and manufacturers' association representing more than 3,800 employers of every size and from every sector of the economy. Our mission is to make Wisconsin the most competitive state in the nation to do business. That mission includes ensuring that government regulations are fair and predictable, no more stringent or costly than necessary to accomplish the relevant policy objectives, avoid unnecessary complexity and duplication, and do not unduly burden Wisconsin businesses; our mission also includes promoting a legal climate that minimizes frivolous litigation that costs businesses time and money. The nexus of these policy concerns exists when the government seeks to enforce the myriad of rules and regulations on the books. **To be clear, following the law and complying with regulations is not optional, it is the hallmark of upholding civil society and being a good citizen – both corporate and individual; the opposite side of that social contract falls on the executive who enforces the laws, and that power that comes with great responsibility, parts of which are *discretion* and *trust*.**

Unfortunately, the Department of Justice (DOJ) and Attorney General have abused their discretion and undertaken practices that menace the regulated community, farmers and manufacturers alike. **What should be good faith enforcement of Wisconsin's laws and**

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WMC is the combined state chamber of commerce, manufacturers' association and safety council.

regulations has become an exercise in *abuse* of discretion and a crusade against Wisconsin's manufacturers and farmers, the super-sectors of our economy, in the name of environmental justice. All this while circumventing the separation of powers and power of the purse, undermining the trust of, and fidelity to, the people of Wisconsin and our laws, and eroding our constitutional system. WMC, which has members from both the manufacturing and agricultural sectors, has grave concerns about DOJ's use of bought-and-paid-for activist attorneys, enforcement practices, and evasion of constitutional and statutory restrictions and procedures to rein-in the aforementioned practices.

Activists For – Hire - Free

Reporting by Dan Bice in the *Milwaukee Journal Sentinel* in May 2024, brought to light that Attorney General (AG) Kaul joined counterparts in a dozen other states tapping into billionaire, out-of-state funding to advance his environmental justice and climate-change policies.¹ Others can further detail the statutory, constitutional, and ethical issues with this practice; WMC believes that this practice is already prohibited under Wisconsin's law and Constitution and raises ethical concerns as well.

The practice of deputizing politically-driven, outside-counsel to evaluate and enforce public law invites intense, unwarranted scrutiny on the regulated community. As previously noted, compliance with law and regulation is the goal in order to maintain a civil society. But the Wisconsin DOJ has contracted for politically-driven attorneys funded by a political donor whose purpose is to achieve the donor's environmental and climate goals. At best, this practice is an unethical abuse of pay-to-play justice and enforcement of the law. It places people who view farmers and manufactures as environmental polluters in the position of enforcing the law against them and turns **what *should* be a factually-driven inquiry into whether a potential regulatory violation occurred into a never-ending quest to find the tiniest deviation in order to bring down the heavy hand of state law-enforcement on their politically disfavored targets.** The operative word in that last sentence is *state* law-enforcement, not citizens acting as private attorneys general, not civil litigation between private parties under a statutory cause of action, but *state* law-enforcement. As will be discussed below, Wisconsin citizens and businesses are staring down what could become a legion of additional, billionaire-funded private lawyers at the ready to enforce, ***under the imprimatur of the state***, a myriad of statutes and regulations to achieve the donor's political goals.

¹ Daniel Bice, "New prosecutor in AG's office paid for by center funded by former NY Mayor Bloomberg," *Milwaukee Journal Sentinel* (May 21, 2024), available at: <https://www.jsonline.com/story/news/investigations/daniel-bice/2024/05/21/bice-new-state-prosecutor-paid-for-by-bloomberg-funded-center/73721160007/>; see also Jeff Patch, "How Bloomberg Embeds Green Warriors in Blue-State Governments," RealClear Investigations (October 10, 2018), available at: https://www.realclearinvestigations.com/articles/2018/10/09/bloomberg_funds_green_work_of_democrat_state_attorneys_offices.html; Christopher C. Horner, "Law Enforcement for Rent: How Special Interests Fund Climate Policy through State Attorneys General," Competitive Enterprise Institute (August 28, 2018) (on file with author).

According to the Mercatus Center, as of 2023, Wisconsin was the 13th most regulated state in the nation with over 165,000 regulatory restrictions in the Wisconsin Administrative Code.² With so many administrative regulations, and the statutes they flow from, even Inspector Clouseau would blush at the opportunity to investigate and uncover wrongdoing. Unfortunately, for Wisconsin farmers and manufacturers, the investigators are intent on digging until any violation, including innocent ones – or none at all – are found and exploited in the name of “justice.”

Fishing expeditions in the name of *justice* are not *just* at all. For the businesses under investigation, the costs of compliance are already high. A 2023 study by the National Association of Manufacturers (NAM) reveals that **the total cost of federal regulations in 2022 reached an estimated \$3.079 trillion**,³ equivalent to the world’s 8th largest economy.⁴ The NAM study also found that **the average U.S. company pays approximately \$13,000 per employee per year to comply with federal regulations**. The report further highlights that **manufacturers bear a disproportionate share of the regulatory burden**. On average, manufacturers spend \$29,000 per employee each year on regulatory compliance, which is more than double the amount spent by non-manufacturing firms. The NAM report only considered the cost of *federal* regulations. On top of that, as noted, Wisconsin has its own 165,000+ regulations that individuals and businesses must follow with their own regulatory cost of compliance. Manufacturers report that if these costs were reduced, they could direct more funds towards wage and benefit increases, more hiring, capital investment, research and development, and improving competitiveness.⁵ On top of the regular costs of compliance, businesses must bear the costs associated with enforcement investigations and defending against enforcement actions – even more painful if the charges are frivolous; businesses are not just in for a penny, but in for a pound, both in time and money better spent when investigators are conducting a fishing expedition.

Targeting food- and job-providing farmers and manufacturers for environmental regulatory enforcement because of misinformed notions about the environmental impacts of these industries adds costs on top of the heavy burden of regulatory compliance. Enforcement investigations and actions should be driven by the facts and tempered by reasonable discretion so that resources can be devoted to investigating and enforcing *legitimate* regulatory violations. This is the *trust* we place in our Attorney General and the Department of Justice.

² Dustin Chambers and Patrick McLaughlin, “Wisconsin’s Regulatory Landscape: Federal and State Rules and Some of Their Unintended Consequences,” Mercatus Center – George Mason University (August 6, 2024), available at: <https://www.mercatus.org/regsnapshots24/wisconsin>.

³ Nicole Crain and Mark Crain, “The Cost of Federal Regulation to the U.S. Economy, Manufacturing and Small Business, National Association of Manufacturers (October 2023), available at: <https://nam.org/issues/regulatory-and-legal-reform/cost-of-regulations/>.

⁴ “GDP, current prices,” International Monetary Fund, available at: <https://www.imf.org/external/datamapper/NGDPD@WEO/OEMDC/ADVEC/WEOORLD>.

⁵ *Supra* n. 3.

Environmental Enforcement Crusade

“The fear of retribution is real!” remarked one WMC member discussing an unwillingness to testify before this committee – and this sentiment is widespread. Unfortunately, and understandably, most in the regulated community are leery of publicly stepping out and expressing concerns about their own or their fellow businesses’ experiences on the other end of a DOJ investigation or enforcement action. And DOJ’s enforcement has touched both the manufacturing and agricultural sectors – the super-sectors of Wisconsin’s economy.

According to data compiled from publicly available judgments and settlements, DOJ has recovered more than \$2.1 million in forfeitures and nearly \$300 thousand dollars in costs **from just farmers since 2020**; this does not include dairy processors or other industrial operations. **Many of these fines involve trivial matters that did not impact the environment or environmental quality.**

As noted, businesses are sensitive to speaking directly to past (or ongoing) enforcement experiences. But at a high level, **DOJ has not targeted enforcement against just egregious violations; minor violations, with no malicious intent, even variations within allowable limits have been subject to extreme enforcement.** Whether career DOJ attorneys were egged on by environmental subject-matter experts in other executive branch departments or the outside activists embedded in DOJ’s ranks, the time and effort DOJ has sunk into its environmental enforcement priorities does not match the realities of environmental infractions.

Examples of **ludicrous, over-the-top enforcement include violations due to: mechanical failures; power outages; and barely-registerable variations in standards (with no resulting impact on the environment).** No-fault, no-harm incidents, not even constituting proven violations in certain cases, have *not* matched the pound of flesh exacted from the regulated community. DOJ, *as part of settlements where no fault was ever established*, have required tens or hundreds of thousands of dollars in forfeitures to settle the alleged violations, or required the installation of capital improvements – even if no harm was done. *DOJ has also targeted regulator-anticipated, short-term, intermittent deviations from permit limitations that fall within the standard’s range of compliance; compliance is not good enough.* **To be clear, there’s no dispute that clearly established, factually-supported violations are subject to enforcement, corrective actions, and fines and forfeitures, but DOJ has shown a pattern of applying the full might of government enforcement upon the innocent and most minor of violations, not aligned in severity with the actual or alleged violation.** This practice is concerning because it suggests that prosecutors pick a target and dig and scavenge until something – *anything* – and even nothing is found. But to justify their zealous enforcement odyssey, activist environmental prosecutors muscle a fine out of the targeted business under greater threat of official legal action.

Not only are these politically-driven enforcement crusades costly to the businesses under

the microscope, but acquiescence into settlement—while admitting no fault—ends up costing the business anyway. **DOJ has pointed to past settlements (where no fault is admitted) as evidence of prior environmental violations justifying harsher treatment in a subsequent investigation.** This practice places businesses in an impossible situation: cooperate and pay a hefty fine to stop the bleed of time and money, or sink more time and money defending against an alleged violation and roll the dice of losing before an adjudicator. **In either scenario, tens or hundreds of thousands of dollars, if not more, is extracted by the government from the economy; all of Wisconsin, workers and businesses alike, suffers.** And if a business does decide to acquiesce and settle, the spirit of that agreement and no admission or finding of fault can be (and in instances has been) used against that business in future enforcement investigations and actions.

Evading Accountability

This testimony has already explored the regulated community's experience as targets of abusive DOJ enforcement. However, DOJ is charged with not just enforcing the law (using reasonable discretion), but also *entrusted with complying with the law*. **Accountability seems to be a one-way street that is only a bumpy road for businesses, and not DOJ itself.**

Shedding Light On DOJ

On March 28, 2022, Evan Umpir, acting on behalf of WMC, submitted an open records request to DOJ seeking correspondence records between DOJ personnel and Sher Edling, LLP – a California law firm that, according to its website:

... [Are] dedicated professionals at the forefront of cutting-edge litigation. We help our clients hold polluters accountable for deceiving consumers about climate change, for contaminating the drinking water people rely on, and for threatening our communities and health with dangerous chemicals in our land, air and water. . . .⁶

It should be noted that Sher Edling was selected by AG Kaul and Governor Evers **through a competitive bid process** to assist in litigation over PFAS contamination.⁷ In the case of the New York University School of Law State Energy and Environmental Impact Center law fellows, the process was much more murky.

Nearly a month later (April 25, 2022), WMC received a confirmation email acknowledging receipt of the request and **more than a year after the initial open records request, “after**

⁶ SHER EDLING LLP, <https://www.sheredling.com/> (last accessed Feb. 20, 2026).

⁷ Press Release, Wisconsin Department of Justice, AG Kaul, Gov Evers Announce Outside Counsel for Potential PFAS Claims (August 25, 2021) (available at: [https://www.wisdoj.gov/PressReleases/PFAs%20Press%20Release%20\(1\).pdf](https://www.wisdoj.gov/PressReleases/PFAs%20Press%20Release%20(1).pdf)).

an unexplained delay of 548 days,”⁸ on September 27, 2023, DOJ responded stating that it would **not release any records because they were attorney-client communications or work product**. After WMC filed a lawsuit challenging DOJ’s refusal to turn over public records, DOJ backtracked on its claim of attorney-client privilege for a handful of records and was subsequently forced to turn over many additional records a Dane County judge found were indeed responsive to our request and not exempted from Wisconsin’s open records law. But for WMC’s lawsuit, DOJ would likely have withheld *all* the records ultimately turned over related to this open records request.

This case presents a few concerns. First, WMC has grave concern over the year and a half-long gap before a response from DOJ. As this claim is currently being appealed, WMC refrains from further comment on this ongoing litigation other than WMC believes this was an unreasonable delay and its claim is cognizable. Unreasonable delays responding to open records requests are unacceptable and inconsistent with transparent government. The Legislature should take note of this case for potential future legislative action on open records policy pending the outcome of this litigation.

Second, the DOJ used a blanket shield of attorney-client privilege only to later turn over non-privileged records. **DOJ’s broad and blanket application of attorney-client privilege should raise concerns about potential abuse of this shield** – if there is nothing to hide, why attempt to block release of non-privileged documents? It should be noted that a court agreed with WMC and ruled a few dozen records should be released in full and about 400 be released with partial redactions.⁹

Similarly, and directly related to the charge of this committee, two employees of WMC submitted open records requests to DOJ related to the New York University School of Law’s State Energy & Environmental Impact Center on May 31, 2024, because of concern over DOJ’s use of non-employee politically-funded legal fellows. One request received a response nearly six months later; **the other request received a response on October 31, 2025, 518 days after the initial request**. In the responsive records to one of these requests was a redacted draft response to a press inquiry (the previously cited Dan Bice article, see footnote 1). Upon follow-up by WMC, DOJ was able to locate and turn over the final, non-redacted response to Mr. Bice and noted that **this record was not included in the initial response to WMC because the initial records search only targeted certain individuals within DOJ for searching for responsive records**. This revelation is also concerning; understandably DOJ and some other government entities may be inundated with open records requests, some quite expansive, and records custodians must manage the intake and responses, including review of potentially-responsive records. But **volume of requests and potentially responsive documents does not relieve the responsibility to search for**

⁸ Decision and Order Granting Summary Judgment at 3, *Wisconsin Manufacturers and Commerce v. Wisconsin Department of Justice*, 2023-CV-3275 (November 27, 2024).

⁹ See generally Decision and Order Granting Summary Judgment, 2023-CV-3275.

responsive records; and specifically in this case, taking the effort to redact a draft response to a media inquiry and not include the final response shared with the press is puzzling and should be considered by this committee, particularly on this topic, in the broader context of conduct by the Attorney General and the DOJ.

Loyalty to Whom?

As alluded to above (see footnote 1), DOJ's practice of utilizing third-party, private attorneys to conduct government investigations and enforcement raises grave concerns about these attorneys' duty of loyalty and motives. WMC echoes these concerns. **Wisconsinites trust their government is ethical and fair, non-discriminatory, and follows the law.** This action appears to embody a pattern and practice of politically- or ideologically-motivated enforcement of "justice" **untethered to reasonable enforcement discretion** we entrust our Attorney General to exercise as part of our civil society and social contract.

No Checks and No Balances

The Legislature should also be concerned about the Attorney General's and DOJ's evasion of accountability. **Using private, third-party attorneys, funded by out-of-state billionaires, undermines the Legislature's authority to determine funding and positions for the legislatively-created executive branch bureaucracy.** The Department of Justice itself exists in statute, first created by legislation authored by the Legislature.¹⁰ Without the ability the rein in the executive branch, through positions and funding, the Legislature stands neutered to guide the executive branch and prioritize policy objectives that come about through the lawmaking and appropriation process—through legislation that becomes law by the governor's hand, over the governor's objection (veto override), or through passive enactment. The DOJ's use of privately-funded attorneys to further the political objectives of the donor class **undermines the Legislative Branch and robs lawmakers of their constitutional authority to establish staffing and funding levels at DOJ through the power of the purse.**

Justice For Sale

In addition to the concerns already raised, this practice promotes selective justice that can be bought to do the whims of the highest bidder. Imagine, last decade, when Republican Attorney General Brad Schimel was in office if the Democrats controlled the Legislature and AG Schimel sought additional assistant attorneys general to promote Second Amendment and pro-life causes and sought funding from the National Rifle Association or pro-life groups to work under the banner of the DOJ and official government conduct? What if WMC funded assistant attorneys general in the environmental enforcement division or any other at DOJ? Would all of the members of this Committee nod along approvingly? Republican or Democrat, this practice reeks of partisan politics, ethical compromise, violates the trust of Wisconsin, and is the opposite of what true justice should be – fair.

¹⁰ See Wis. Stat. §15.25 (2023-2024) ("There is created a department of justice under the direction and supervision of the attorney general."). See also generally Wis. Stat. Ch. 165 (2023-2024) (Department of Justice).

Conclusion

As the state's largest general business organization representing the regulated business community in the state, with members from the manufacturing and agriculture sectors (and many others), our finger is on the pulse of the real-world conditions in which businesses operate. As previously stated, **there is no question that clearly established, factually-supported violations are subject to enforcement, corrective actions, and fines and forfeitures.** Businesses work hard to serve their customers and comply with applicable laws and regulations – including Wisconsin's more than 165,000 administrative rules. Regulatory compliance is already costly. Politically- and ideologically-motivated fishing expeditions, and subsequent strong-arm settlement tactics, flout justice and distract from legitimate, action-based, factually-grounded enforcement. **DOJ, through its practice of using private attorneys funded by out-of-state billionaires, combined with its enforcement practice and strategy, creates a chilling effect for Wisconsin's business climate and broadcasts to existing and prospective businesses that our regulatory enforcement environment is hostile and costly.** Businesses take no issue with complying with regulations that are fair and predictable, no more stringent or costly than necessary to accomplish the relevant policy objectives, avoid unnecessary complexity and duplication, and are not overly burdensome. **But when reasonable, measured regulations are weaponized and used to deter industry, particularly our state's super-sector industries of manufacturing and agriculture, something has gone very wrong.** WMC appreciates the opportunity to testify about the business community's concerns over DOJ's regulatory enforcement practices and its effect on our business climate. Thank you.

DANIEL BICE

Bice: New prosecutor in AG's office paid for by center funded by former NY Mayor Bloomberg



Daniel Bice

Milwaukee Journal Sentinel

Published 5:08 a.m. CT May 21, 2024 | Updated 5:08 a.m. CT May 21, 2024

Attorney General **Josh Kaul** is outsourcing the fight against climate change in Wisconsin.

And the second-term Democratic politician is tapping a source tied to a deep-pocketed New York politician to get the job done.

Earlier this year, Kaul hired **Karen Heineman** as the new special assistant attorney general's position on environmental litigation at an annual salary of \$90,000 a year. The position is being paid for by the **State Energy and Environmental Impact Center (SEEIC)** at **New York University Law School**.

The center was launched in 2017 with a \$6 million grant from the charitable foundation led by climate activist and former New York City Mayor **Michael Bloomberg**. The idea was to give attorneys general help in fighting then-President **Donald Trump's** efforts to roll back renewable energy, environmental protections and climate policies.

Heineman's appointment is initially for one year but can stretch into a second one.

Similar environmental fellows have been appointed in a dozen other states, sparking a strong backlash by conservative politicians who objected to the arrangements. In Minnesota, this issue has led to litigation and partisan legislative debate that stretched over several years.

It looks like the same could happen here.

"Wisconsinites should be alarmed that Michael Bloomberg is bankrolling his own personal government prosecutor to do his bidding," said state Republican Party spokesman **Matt**

Fisher. "Out-of-state billionaires have no right to set up shop in our legal system to achieve their own political ends."

Gillian Drummond, communications director for Kaul, rejected that characterization.

Drummond said the new position is intended to help expand the work of the Department of Justice's Public Protection Unit, which enforces Wisconsin laws that protect consumers and natural resources

"Attorney General Kaul is committed to protecting clean water and combating climate change," Drummond said. "Wisconsin DOJ makes decisions about what matters to address based on its independent judgment of what is in the best interests of Wisconsinites."

The new position isn't just tied up in a debate about its source of funding.

The appointment comes as Wisconsin environmentalists are urging Kaul to be more aggressive in pursuing major oil companies for climate damages.

Over the past year, the U.S. Supreme Court has issued three denials covering eight cases, rejecting fossil fuel companies' attempts to move the dispute to federal court.

That has shifted the focus to state courts, where nearly three dozen cases filed by state attorneys general, cities, counties and tribal nations against companies including **Exxon Mobil**, **BP** and **Shell**. The lawsuits attempt to show that oil companies' own research predicted the dangers of climate long ago.

"We're trying to get more people saying, 'Now's the time to get going, Kaul,'" **Tom Seery**, a former Wisconsin state legislator and a leader of Wisconsin for Environmental Justice, told **Politico's E&E News** last year.

In February, Kaul told **WKOW-TV (Channel 27)** in Madison that his office has limited resources, something that will likely remain true as long as the Republicans control the Legislature, to hold polluters accountable.

"We have the benefit here of being able to see what unfolds in some other states," Kaul told Channel 27. "And based on that, we will decide what course of action to take."

Drummond emphasized that any decision will not be made by Bloomberg or others elsewhere.

She said the state Justice Department determines what matters to address based on its independent judgment of what is in the best interest of Wisconsinites.

Beyond that, she pointed to the website for the State Energy and Environmental Impact Center, the group paying Heineman's salary. It says: "NYU pays the salaries of the fellows, but the fellows' sole duty of loyalty is to the attorney general or commissioners in whose office they serve."

But **Paul Nolette**, director of the **Les Aspin Center for Government** at Marquette University, said he still saw reason for concern about the arrangement between the state and the Bloomberg-funded center.

"It does raise the question of, Who's really representing the state?" Nolette said. "It's not a taxpayer-funded staff member at the AG' office. Instead, it's a member or someone that's privately funded or part of an advocacy group — that sort of thing."

Nolette said state attorneys general have used private counsel in a number of matters, most notably in their fight with cigarette companies in the late 1990s or, more recently, during the opioid epidemic. But he noted that these were not considered partisan issues.

It's more concerning, he said, when a state prosecutor is relying for help on someone who is being paid by a group this ideologically motivated. He said it is of growing concern that the state's top cops are becoming more and more polarized.

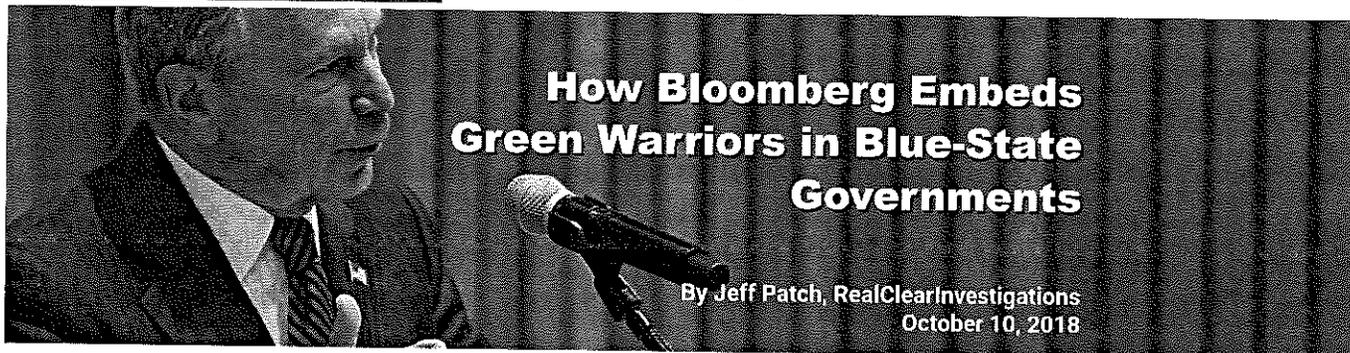
In this case, Nolette, who studies attorneys general, said it's hard to tell what is Bloomberg's interest, NYU's interest and the state's interest.

"What would you think if Republican AGs were hiring a bunch of like conservative activists to run the litigation program of their AG office?" Nolette asked. "There will be a lot of concerns over that."

Staffers for the attorney general being paid for by, say, a foundation underwritten by **Koch Industries** or Exxon Mobil? Yeah, just imagine that.

Contact Daniel Bice at (414) 313-6684 or dbice@jrn.com. Follow him on X at [@DanielBice](https://twitter.com/DanielBice) or on Facebook at [fb.me/daniel.bice](https://www.facebook.com/daniel.bice).

RealClear Investigations



How Bloomberg Embeds Green Warriors in Blue-State Governments

By Jeff Patch, RealClearInvestigations
October 10, 2018

A New York University School of Law program funded by billionaire Michael Bloomberg is placing lawyers in the offices of Democratic state attorneys general and paying them to prosecute energy companies and challenge Trump administration policies on energy and the environment.

Nine states and Washington, D.C., including New York, Illinois and Pennsylvania, are participating in the multimillion-dollar program funded by the media magnate and ex-New York City mayor, who re-registered as a Democrat this week amid expectations of a run for president in 2020.

The 14 current fellows in the program report to the attorneys general, but they are paid by NYU's Bloomberg-funded State Energy & Environmental Impact Center. State AG offices hire these trained lawyers – not students but seasoned professionals with years of experience – as special assistant attorneys general. Under terms of the arrangement, the fellows work solely to advance progressive environmental policy at a time when Democratic state attorneys general have investigated and sued ExxonMobil and other energy companies over alleged damages due to climate change.

Although many government agencies have employees funded by outside sources, critics say using special interest money for targeted government action is inappropriate. Christopher Horner, a senior fellow at the Competitive Enterprise Institute, who wrote a report on the NYU center, said the fellowships come with specific strings attached. “[AG] offices must agree to use prosecutors to ‘advance progressive clean energy, climate change, and environmental legal positions,’” Horner said.

David J. Hayes, the center's executive director, did not respond to multiple requests for comment.

Amy Spitalnick, communications director and policy adviser to acting New York Attorney General Barbara Underwood, vigorously defended the program. “The NYU center,” she said, “has no role in supervising the fellows.”

Spitalnick also seemed to indicate the partisanship in play when she cited a 2011 report that found former EPA Administrator Scott Pruitt may have relied heavily on the advice of the oil and gas industry when he was Oklahoma's attorney general.

“Climate deniers continue to find new and creative ways to distract from reality,” she said.

The center was launched in mid-August 2017 with a reported grant of nearly \$6 million from Bloomberg Philanthropies, the charitable entity controlled by the billionaire. It is billed as a non-partisan project to help “state attorneys general fight against regulatory rollbacks and advance clean energy, climate change [responses], and environmental values and protections.”

Personally and through his political groups, Bloomberg has also donated millions of dollars to Democratic attorneys general campaigns in this midterm election cycle. For Democratic campaigns in general, he has announced plans to spend \$80 million this year.

Some of the fellows from the NYU program developed their legal acumen at progressive advocacy organizations such as the Sierra Club and the National Resources Defense Council. Others served under Bloomberg during his mayoral tenure in New York – for example, Sarah Kogel-Smucker, now an NYU fellow in the District of Columbia government.

The fellows have played a role in filing at least 130 regulatory, legal and other challenges to federal environmental policies since 2017, according to a review of filings.

The full extent of the attorneys' participation in many cases is veiled by attorney-client confidentiality. In an email last year to Democratic-held offices, Hayes wrote that “we are engaged with ethics experts and individuals in some of your offices to ensure confidentiality” of the program's work. The email was provided to RealClearInvestigations by the office of Iowa Attorney General Tom Miller, a Democrat.

The center's staff has made virtually no effort to engage Republican offices. Hayes, a former deputy secretary of the interior in the Obama and Clinton administrations, has coordinated campaign fundraisers and advised top officials for Hillary Clinton's 2016 presidential campaign on energy and environmental policy. Last year he emailed an initial invitation to apply for the program to chiefs of staff of Democratic attorneys general. (There are 22 Democratic state attorneys general, 27 Republican and one independent.)

~ continued on back ~

How Bloomberg Embeds Green Warriors in Blue-State Governments | October 10, 2018

~ continued from front ~

Lynn Hicks, a spokesman for Miller, declined to comment on why he decided against applying to NYU program. Hicks said the office accepts some third-party funding but not from groups seeking to advance a particular policy agenda.

“We have some third-party funding already,” he said. “For example, some of our internships are funded through a fellowship underwritten by the American Bar Association. To be clear, a minority of our office’s total funding is directly appropriated by the legislature. Other funding comes from grants, settlements and civil penalties and various funds, such as the Consumer Education and Litigation Fund, but those aren’t really ‘third parties.’”

The fate of the program in Virginia is uncertain. Hayes announced in a December 2017 press release that the office of Attorney General Mark Herring was awarded a grant and “will soon hire” a Bloomberg-funded fellow. But that hasn’t happened yet.

Howard Wolfson, a close Bloomberg adviser and Bloomberg Philanthropies executive, did not respond to multiple requests for comment on the question of whether the organization has donated any more than the initial pledge of nearly \$6 million to the NYU center. He also declined to address Bloomberg’s campaign donations to Democratic attorneys general.

Bloomberg donated more than \$2 million to Herring’s 2017 re-election campaign via two political groups Bloomberg controls and through a personal contribution. Through the philanthropist’s advocacy group Everytown for Gun Safety Action Fund, Bloomberg has donated \$150,000 to the Democratic Attorneys General Association this cycle—\$50,000 in July 2017 and another \$100,000 in January 2018. Any additional donations to DAGA this cycle after June 30, the end of the second quarter, won’t be publicly disclosed by the IRS until Oct. 15. Everytown has also announced plans to spend \$3.5 million this year to support Democratic attorney general candidate Aaron Ford in Nevada and the party’s nominee for governor, Steve Sisolak.

Bloomberg, 76, has a net worth estimated at around \$50 billion, rooted in his founding the financial information service Bloomberg LP.

Races for attorney general represent a key battleground as Democrats and Republicans vie for control of offices that have the authority to challenge federal laws and regulations as well as pursue policy priorities through investigation of and litigation against disfavored industries.

Political analysts consider 10 AG races competitive—Democrats facing incumbent Republicans in Arizona, Georgia and Wisconsin; open seats held by Republicans in Colorado, Nevada, Michigan, Ohio and Florida; and open seats held by Democrats in Minnesota and Illinois.

Depending on which party controls Congress and the White House, attorneys general have become increasingly aggressive in forming coalitions to challenge federal laws and regulations. Multistate lawsuits filed by attorneys general against the

federal government doubled after 2014, as Republicans resisted implementation of the Affordable Care Act and other Democratic policies. During President Trump’s first year in office, the number of multistate lawsuits against the federal government jumped to 36 from 13 the year before, according to Paul Nolette, an associate professor of political science at Marquette University.

In September, four special assistant attorneys general from the NYU program signed on to a lawsuit from eight AGs against the Interior Department, the U.S. Fish & Wildlife Service and Interior’s acting solicitor, Daniel Jorjani, over Trump administration regulatory changes regarding the Migratory Bird Treaty Act.

In May, two special assistant attorneys general from the program joined 18 AGs filing a lawsuit against the EPA for beginning the process of modifying vehicle emissions standards.

The primary focus of the fellowship program has been pushing back against the Trump administration, specifically its moves to replace Obama-era rules as well as its efforts to expand natural resources extraction (drilling, fracking, etc.). For instance, program attorney Megan Herzog signed comments with Massachusetts Attorney General Maura Healey “strongly opposing President Trump and Department of Interior Secretary Ryan Zinke’s ‘ill-advised’” proposal to allow offshore oil and gas drilling along the Massachusetts coast as part of a national program.

Aside from New York, Illinois, Pennsylvania, Massachusetts and Virginia, the other states participating in the NYU program are Oregon, Maryland, Washington state and New Mexico.

Some Republican offices challenged the authority of attorneys general to accept the funding and the attached obligation to report activities back to the Bloomberg center. Rebecca Ballweg, a spokeswoman for Wisconsin Attorney General Brad Schimel, said her office determined that the program would not be legal.

“This scenario would be a conflict of interest under the Code of Ethics for state employees, which prohibits a state employee from using his or her position for financial gain or for the private benefit of an organization with which the employee is associated,” she said, citing the Wisconsin ethics law for state employees.

“The public’s expectation is that a state’s chief law enforcement official acts in an unbiased and objective manner,” said Harold Kim, the executive vice president of the U.S. Chamber Institute for Legal Reform. “Regardless of the underlying issue, when political interest groups participate in embedding paid staff in a state attorney general’s office, that credibility is called into question.”

Horner of the Competitive Enterprise Institute suggested the NYU center is less likely to spur reform than an ideological arms race.

“It seems the only way to wake our usual constitutional watchdogs to the abuse is for conservative AGs to accept Federalist Society, National Rifle Association and National Right-to-Life chaired prosecutor positions to investigate those groups’ political opponents and advance their agendas,” he said.

WISCONSIN SENATE COMMITTEE TESTIMONY

Thank you, CHAIRMAN FELZKOWSKI, and Committee Members for the opportunity to visit with you today about the potential for corruption and the lack of legislative transparency that has occurred in certain Minnesota state government offices and how our good neighbors in Wisconsin might avoid making a similar mistake

My name is Annette Meeks and I'm the CEO of the Freedom Foundation of Minnesota. We are a non-profit research organization that focuses on developing and highlighting market-based solutions to some of the most difficult issues facing our state. One of those five cornerstone issues is the importance of GOVERNMENT TRANSPARENCY which is how we got involved in this issue nearly seven years ago.

Several years ago, a trend began in private philanthropy where donors would fund specific projects at research centers located at prominent American universities. These universities would, in turn, hire or place a staff member in a state or local government job. These individuals are paid directly by non-profit University or another tax-deductible entity that received a designated gift from the wealthy donor. But instead of working as an employee of state or local government, their

salaries are paid by a separate non-profit entity and usually for a specific project or determinate period of time.

When I worked at the United States Congress, this type of employment practice – hiring a privately-funded employee -- was strictly forbidden. Yet a researcher who worked with me discovered that our state and local units of government do not strictly forbid this type of employment. We believe this problematic for several reasons which I will lay out for you today.

We first became aware of this process when the Rockefeller Foundation established its Resilient Cities program in 2013. That program committed \$164 million towards hiring “chief resilience officers” in 100 cities around the globe.

Minneapolis received a grant of \$129,508 from the Rockefeller Foundation in 2017 to fund that city’s Chief Resilience Officer or CRO. That position was filled by former Minnesota state representative Kate Knuth who left that position after only seven months on the job. After her departure, she said it was extremely difficult having too many bosses, all with different goals for that position. Ms., Knuth said in public interviews that she was caught in the middle of the Rockefeller Foundation and the Minneapolis mayor and city council.

Since that time, that CRO position was filled by a new person hired by the foundation but since 2022 no public records exist

as to who, if anyone, currently holds that position in MPLS city government.

According to IRS filings, in 2017, former New York City Mayor Michael Bloomberg's private foundation – the Bloomberg Family Foundation – donated \$5.6 million to develop New York University's School of Law's State Energy and Environmental Impact Center.

Subsequent grants made by Mr. Bloomberg and his family foundation have become more vague in recent years. From 2020-2021, the foundation gave \$25 million to NYU “to support public service fellows: from 2021-2022 the foundation gave the school \$5 million to “accelerate transition to clean energy” with no mention of the State Impact Center nor its fellows. Other foundations have issued grants that reportedly been designated to the NYU school but most of those grants have been more modest in comparison to the Bloomberg grants.

Since 2018, several state attorneys' generals' offices have received, free of charge – State Impact Center fellows funded by these enormous gifts to NYU. These fellows are hired by NYU and then work in the state attorneys general offices where they have developed and filed well-coordinated, activist lawsuits against certain state governments. Some of these State Impact Center fellow attorneys also lobby for new and often

burdensome government regulations. And interestingly enough, some of the original NYU State Impact Fellows have left that position in state government to work in NGOs in various states where they filed complex litigation that compliments the work being done by the state's attorney general. And finally, one of the original State Impact Fellows from Minnesota now serves on an advisory board to help NYU screen for and hire future Fellows for this program.

The salaries and any benefits that may have been received by these fellows are paid for by the State Impact Center at NYU. This policy allows partisan donors to provide funding for these positions in offices around the country and there is verification that they coordinate their work including filing multiple and similar lawsuits against businesses based in their respective states.

I think you'll agree with me when I say that this arrangement raises several ethical concerns as well as questions about the independence of state government offices that utilize this outside help. These outside fellowships violate many of the regular and customary guidelines established for Minnesota state government employees as well as evading the basic tenets of good government policies and full and impartial government transparency. ALL employees of state government should be responsive and accountable to the legislature who allocates the

budgets that fund the totality of state government. If a state agency or officer needs outside litigation assistance or additional help in performing the duties assigned to them, there is a legislative process that must be followed for citizens to have confidence that state government is working for all citizens not against some of them.

1. Late last year, Congressman James Comer, Chairman of the House Committee on Oversight and Government Reform began inquiring information about these special attorney generals and their employment in various states. Chairman Comer said that the time, "The State Impact Center is a mechanism for Mr. Bloomberg to skirt legislative bodies and effect partisan policy" I share this concern.

This is likely the most important point state legislators should consider when or if to allow this policy in Wisconsin. Specifically: in Minnesota, we've lost control of how many FTEs a state constitutional officer may employ in their office. The legislature is constitutionally charged with providing appropriations to fund state government, based upon a bi-annual negotiation with every other officer in our state except one. Furthermore, we have no idea nor is it public information what these special attorney generals work on. IF they are state government employees and are

attempting to lobby for a specific partisan policy, they should appear before the responsible legislative committees in each body and make that request public. This is not the case today in Minnesota.

2. Furthermore, these individuals are not non-partisan lawyers or research fellows in the offices.

According to news reports on this matter, “The State Impact Center at New York University describes itself as a nonpartisan organization that “supports the work of state attorneys general in defending, enforcing and promoting strong laws and policies in the areas of climate, environmental justice, environmental protection, and clean energy.” Yet, according to those same news reports: “...there are no known examples of State Impact Center’s fellows working for Republican attorneys general offices.”

“Furthermore, the State Impact Center’s database strongly indicates that the program prioritizes Democratic policies, such as protecting Biden Administration regulations, attacking Trump Administration executive orders, and targeting unfavored industries such as natural gas and petrochemicals.” Finally, assistant attorney generals from NYU appear to help lead multiple environmental lawsuits against petrochemical companies. Again, according to news

reports: "While it is common practice for states to hire outside counsel when involved in complex litigation, the Bloomberg-NYU program is highly ideological and devoted to serving partisan interests."

This is a very important and sensitive issue in Minnesota state government: As some of you might recall, 30 years ago, then-Minnesota attorney general Hubert H. Humphrey, III, filed one of the first lawsuits against several American tobacco firms. While 46 other states joined a master lawsuit, the Minnesota attorney general hired a well-known Minneapolis law firm to handle this multi-year litigation on behalf of the state. At the end of the process, on May 8, 2018, the attorney general announced a settlement from the tobacco firms totaling \$6.5 billion to be paid to the state in annual payments in perpetuity for things like helping citizens to quit smoking, smoking education materials and smoking cessation counseling. Yet it was the well-connected law firm that was hired by the attorney general who hit the jackpot: that law firm pocketed at least \$427 million. **This contract with the law firm was not approved by any legislative body.** The contracts were not reviewed by any legislative committee. There was no public information about any potential conflicts of interest the law firm might have with any state agency nor were their qualifications made known to the legislature. And finally, they were able to use this

experience to pursue other large public interest lawsuits which continue to this day.

After this experience, the Minnesota legislature passed several new laws including one which required any state agency or constitutional office to submit contracts to an oversight committee and receive prior authorization before any contracts on behalf of state government could be executed. This includes a thorough vetting of the firms in question; public notice of the hiring or RFPs issued; thorough consideration of any potential or perceived conflicts of interest with the law firm under consideration and finally, the experience they law firm may have in complex litigation on behalf of the state.

This reform came about only after Minnesota legislators took back control of a basic but very important tenet of government transparency and legislative oversight. Before contracts with outside litigation firms can be signed, a legislative body must thoroughly review these contracts and determine that it's in the state's best interest to enter into what often becomes complex and very expensive litigation efforts.

It was concern that this new statute was being purposely ignored by the state attorney general that led several state senators to share their concerns about the special attorney

generals working in the state AG office: they believed that their placement was an effort to evade this new oversight provision. While this bill moved in the then Republican-controlled state senate, it did not become law. That potential legislation was similar to a budget provision enacted in 2019 by a democratic-controlled state assembly in Virginia and signed into law by their then governor – also a democrat. The Minnesota proposal was very simple: it stated that all legal services performed by employees of the MN Attorney General’s office except in special coordination with the federal government or another Minnesota government entity as provided by law, shall be performed by employees of that office.

We continue to believe this is a necessary and important reform that the Minnesota legislature should consider.

WHY DOES ANY OF THIS MATTER?

The role of an independent attorney general is vital to establishing confidence in our state’s legal system. By hiring non-government “special assistant attorney generals” to coordinate lawsuits that may or may not be in the best interest in Minnesota’s taxpayers, the secretive role of the State Impact Center’s attorneys raises questions about their independence, their potential partisan judgement and

whether they are serving the best interests of Minnesotan taxpayers.

According to an editorial in the WSJ: The NYU special attorney generals and their hiring and placement in state offices provides an “obvious ethical problem: “private interests are leveraging the police powers of the state to pursue their political agenda, while a government official is letting private interests appear to influence enforcement decisions.”

One long-time government accountability researcher who has worked for nearly a decade on this issue told me a few years ago that “there’s a vast difference between green groups having meetings with government officials and foundations paying attorneys general to use the power of the state to crush their enemies.”

I think we can all agree that using outside charitable donations to skirt legislative approval is a very concerning issue for all legislators, regardless of who the non-profit foundation is or what policies they support: While the democrats have controlled the Minnesota attorney general offices since 1972, some day a Republican will once again occupy that office. Imagine the justifiable outrage that would occur if the National Rifle Association Foundation funded a fellow’s program that placed special attorneys in Republican

AG offices. There would be outrage and I would be joining others in expressing outrage: in these times of deep political division, we should be enacting policies that garner greater confidence and transparency in all levels of state and local government, not doing more to use state government to further divisions in our state and communities.

So, where are we today? As you likely know, Minnesota has a tie in the Minnesota House of Representatives, and the democrats have a one-seat majority in the state senate. Not a lot of legislation gets passed these days in our legislature. And indeed, Minnesota has been in the forefront of many national news stories about the waste, fraud and abuse that has occurred in state government programs likely for several decades.

Just yesterday the newly appointed individual hired by Governor Walz issued a report to the legislature outlining some of the most egregious gaps in state statute and/or oversight that he believes demand immediate attention. One of his most telling comments was that Minnesota state government was "too trusting" in the honesty and integrity of those NGOs and non-profits who are the recipients of state taxpayer funds. Perhaps, as a result of the massive and expansive fraud in state government will result in a new outlook for state employees to "trust but verify". And

perhaps with this new outlook, new program integrity and transparency will occur across all of state government.

The enormous and unprecedented level of state government fraud has brought about, as they say, a teachable moment in state government; yet there is little or no interest in passing a modest piece of legislation that I believe would increase government transparency in state government offices and constitutional officers' offices. It would also help restore public trust in state government in a state where that is currently in extremely short supply: recent polling shows that nearly 70% of Minnesotans believe our state government is headed in the "wrong direction."

I believe that a lot of good will could be established if our legislature would pass and the governor would sign simple legislative language that would say that our state government employees are not for sale to the highest bidder – bidders who hide behind universities providing little or no transparency as to the work they inspire inside state government offices.

After experiencing what some federal prosecutors believe could be an excess of \$9 billion dollars in public program fraud since 2020, every citizen of the state believes it's time we insist upon greater transparency and program integrity in every government program. This could start by eliminating

the ability of private philanthropy to hire and place privately funded workers in Minnesota state government where their work is shielded from the public. You have an opportunity to restore faith in state government here in Wisconsin – don't be like Minnesota where partisan parochial interests veto all too often any semblance of honest, open and transparent government.

Steinke, Chelsea K.

From: Ashley Viste <ashley@joshkaul.org>
Sent: Monday, March 4, 2019 9:07 PM
To: Steinke, Chelsea K.
Subject: Fwd: Josh Kaul Attorney General Campaign

Responsive to the PRR.

----- Forwarded message -----

From: David J. Hayes <djh466@nyu.edu>
Date: Sat, Jan 19, 2019 at 1:10 PM
Subject: Re: Josh Kaul Attorney General Campaign
To: Ashley Viste <ashley@joshkaul.org>

Great— many thanks, Ashley!

David

Sent from my iPhone

On Jan 19, 2019, at 1:13 PM, Ashley Viste <ashley@joshkaul.org> wrote:

Hello David - I apologize that it has taken a while for me to get back to you. I will work on finding the appropriate contact for Tuesday's call. In the future, please feel free to contact me at: vistee@doj.state.wi.us or at 608-294-8025.

Thanks!
Ashley

On Wed, Jan 16, 2019 at 1:21 PM David J. Hayes <david.hayes@nyu.edu> wrote:
Ashley:

I am hoping that your email might forward to your current email address.

Congrats on your victory!

I would like to speak with Josh about how the NYU State Impact Center might assist on energy and environmental matters. I also have an important message to pass along to him or his chief of staff or deputy in the short term.

Any help you can provide along these lines would be appreciated.

Thanks!

David

On Wed, Apr 4, 2018 at 9:28 AM David J. Hayes <david.hayes@nyu.edu> wrote:
Ashley:

I would be happy to talk with Josh.

The NYU Law School and my State Impact Center are non-partisan and, as I am sure you understand, I cannot get involved in campaign-related activities, but I would be delighted to talk with Josh about matters that we are working on with progressive AGs around the country on important clean energy, climate and environmental issues.

Good times for me to talk with Josh would be toward the end of the day (eastern time) on next Monday or Tuesday, the 9th or 10th.

Let me know if Josh might have a window on one of those days. I can offer some alternative times too.

Thanks.

David

On Fri, Mar 30, 2018 at 1:27 PM, Ashley Viste <ashley@joshkaul.org> wrote:
Hello David,

You met Josh Kaul earlier this year through a DAGA event. Would you have time in the next couple of weeks for a phone call with Josh?

In the meantime, I wanted to pass along these two news articles on the incumbent AG in Wisconsin taking extreme stances on gun safety and undermining DOJ's environmental efforts:

[Wisconsin AG Brad Schimel says he'd train gun-carrying teachers if state law allowed it](#)

[Former dairy lobbyist now runs AG Brad Schimel's environmental protection unit](#)

Thanks,
Ashley

--

Ashley Viste
Campaign Manager - Kaul for Attorney General
[REDACTED]

[Contribute here!](#) | www.joshkaul.org | [Facebook](#) | [Twitter](#)

--

David J. Hayes
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The State Impact Center is part of the NYU School of Law

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www.law.nyu.edu/centers/state-impact

The State Impact Center is part of the NYU School of Law

RE: NYU Law / State AG Fellows program

From: "Harlow, R. Duane" <harlowrd@doj.state.wi.us>
To: "Zolik, Nathan J." <zoliknj@doj.state.wi.us>; "Gibson, Charlotte J." <gibsoncj@doj.state.wi.us>
Cc: "Finkelmeyer, Corey F." <finkelmeyercf@doj.state.wi.us>
Date: Tue, 03 Aug 2021 08:18:09 -0500

Brad and I talked after he met with NYU Law. I looked at the website and it says fellows typically have 5-10 years experience.

We could definitely use the help on the EP matters and the PRP fellowship was a smashing success.

Duane

R. Duane Harlow
Assistant Attorney General
Director, Public Protection Unit
Wisconsin Department of Justice
17 West Main Street
Post Office Box 7857
Madison, Wisconsin 53707-7857

Direct Line: 608-266-2950
Fax: 608-266-2250
email: harlowrd@doj.state.wi.us

Notice: This email may contain confidential information protected from disclosure by attorney-client privilege or attorney work product doctrine. If you are not the intended recipient, please contact the sender so that confidentiality may be maintained.

-----Original Message-----

From: Zolik, Nathan J. <ZolikNJ@doj.state.wi.us>
Sent: Tuesday, August 3, 2021 8:13 AM
To: Gibson, Charlotte J. <GibsonCJ@DOJ.STATE.WI.US>
Cc: Finkelmeyer, Corey F. <FinkelmeyerCF@DOJ.STATE.WI.US>; Harlow, R. Duane <HarlowRD@DOJ.STATE.WI.US>
Subject: Re: NYU Law / State AG Fellows program

It's flexible but 2 years is typical. Meeting is fine with me. We should initiate this soon if we would like to pursue it.

Nate
608.287.4713

- > On Aug 2, 2021, at 8:55 PM, Gibson, Charlotte J. <GibsonCJ@doj.state.wi.us> wrote:
- >
- > I would think we would be interested. Is there a set term for the attorney?
- >
- > I could set up a meeting to discuss when Duane is back from his break.
- >
- > Sent from my iPad
- >
- >> On Aug 2, 2021, at 11:05 AM, Zolik, Nathan J. <ZolikNJ@doj.state.wi.us> wrote:
- >>
- >> C&C and Duane,

>>
>> Last week, Josh, Brad, and I met with Bethany Noll of the NYU Law State Impact Center, and the topic of the center's AG Fellows came up. It sounds like they would be open to supporting a fellow in our office, and Josh asked me to follow up with you all to gauge interest. It would be a similar arrangement as with Colin, where NYU funds the position and WI DOJ directs all of the work. Bethany told us they usually place attorneys with a decent amount of experience.

>>
>> More Info: <https://www.law.nyu.edu/centers/state-impact/fellows-program>

>> Let me know what you think.

>>
>> Nate

>> 608.287.4713

DRAFT -- PRIVILEGED & CONFIDENTIAL

Employee Secondment Agreement between the Wisconsin Attorney General's Office and the State Energy & Environmental Impact Center at NYU School of Law

This AGREEMENT ("Agreement") is entered into as of DATE, 2021, by and between NEW YORK UNIVERSITY ("NYU"), a New York not-for-profit education corporation, on behalf of the NYU School of Law's State Energy and Environmental Impact Center (the "State Impact Center"), and the Wisconsin Attorney General's Office (OAG)

WHEREAS, The State Impact Center seeks to provide a supplemental, in-house resource to state attorneys general and their senior staffs on clean energy, climate change and environmental matters of regional and national importance; and

WHEREAS, As part of its activities, the State Impact Center conducts a legal fellowship program ("Legal Fellowship Program"), which seeks to provide attorneys to act as fellows in the offices of certain state attorneys general ("Legal Fellows"); and

WHEREAS, The OAG has been selected by the State Impact Center to participate in Legal Fellowship Program; and

WHEREAS, The OAG has the authority consistent with applicable law and regulations to accept a Legal Fellow whose salary and benefits are provided by an outside funding source.

NOW, THEREFORE, for good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, the State Impact Center and OAG agree to the following:

A. Terms of Service for the Legal Fellowship Program at the OAG:

1. The State Impact Center will provide the services of one attorney to the OAG to act as a Legal Fellow.
2. The specific start and end dates for services will be determined with the mutual agreement between the Legal Fellow, the OAG, and the State Impact Center, provided, however, that the term of the fellowship will be for one year with the expectation that a second one-year term will follow after mutual agreement among the parties (the "Fellowship Period").
3. During the Fellowship Period, the Legal Fellow will be under the direction and control of, and owe a duty of loyalty to, the OAG, and will be subject to the OAG's policies regarding employee conduct, including the policies regarding time and attendance, outside activities, conflicts of interests, and confidentiality. The Legal Fellow will receive instruction and materials regarding these requirements from the OAG at the commencement of his or her fellowship.
4. During the Fellowship Period, salary and benefits will be provided to the Legal Fellow by the NYU School of Law.

5. During the Fellowship Period, the Legal Fellow will be protected by [applicable state indemnification/immunity laws]
6. The OAG may terminate the services of the Legal Fellow for any reason upon seven (7) days' written notice to the State Impact Center, provided that the OAG will attempt to resolve any performance or other issues involving the Legal Fellow with the Legal Fellow and the State Impact Center before terminating the services of the Legal Fellow. The State Impact Center may terminate this Agreement for any reason upon seven (7) days' written notice to the OAG.
7. The OAG will indemnify, defend and hold NYU, its officers, directors, agents, and employees harmless from any claims, causes of action, or judgments arising out of (1) the negligent or intentional acts or omissions of the OAG, its officers, agents or employees, and the Legal Fellow during the Fellowship Period and while the Legal Fellow is subject to the direction and control of the OAG under this Agreement or (2) OAG's breach of this Agreement. The State Impact Center will indemnify, defend and hold OAG harmless from any claims, causes of action, or judgments arising out of the State Impact Center's breach of this Agreement.

B. Nature of the Fellowship Position at the OAG

1. During the Fellowship Period, the OAG will provide the Legal Fellow the title of Special Assistant Attorney General.
2. The OAG will assign the Legal Fellow substantive work and responsibility matching that of other attorneys in the agency with similar experience and background. The Legal Fellow's substantive work will be primarily on matters relating to clean energy, climate change, and environmental matters of regional and national importance.
3. The OAG will aim to include the Legal Fellow in the range of its work where possible, such as strategy discussions and court appearances.
4. The OAG will afford the Legal Fellow the opportunity to partake in the extensive legal education, including CLEs, offered by the OAG to its attorneys.

C. Prohibited Activity

1. The OAG may not request or permit the Legal Fellow to engage as part of his or her employment in any activities that would constitute any of the following:
 - a. to carry on propaganda, or otherwise attempt to influence any specific legislation through (i) an attempt to affect the opinion of the general public or any segment thereof or (ii) communication with any member or employee of a legislative body, or with any other governmental official or employee who may participate in the formulation of the legislation (except technical advice or assistance provided to a governmental body or to a committee or other

- subdivision thereof in response to a written request by such body, committee or subdivision), other than through making available the results of non-partisan analysis, study or research;
- b. to engage in any other activity that may constitute lobbying under federal, state, or local laws or regulations;
 - c. to influence the outcome of any specific public election; or
 - d. to support the election or defeat of a candidate for public office, finance electioneering communications, register prospective voters or encourage the general public or any segment thereof to vote in a specific election.
2. The OAG may not request or permit the Legal Fellow to participate, as part of his or her employment, in any matter that involves New York University or any of its affiliates; and, to the extent that the OAG participates in a matter that involves New York University or any of its affiliates, the OAG will create an ethical wall between the Legal Fellow and the OAG with regard to the matter to ensure that the Legal Fellow has access to no information relating to the matter.
 3. The OAG has determined that NYU's payment of salary and benefits to the Legal Fellow and the provision of services by the Legal Fellow to the OAG do not constitute an impermissible gift under applicable law or regulation. No part of this agreement is intended to induce OAG to undertake or refrain from undertaking any action within the purview of OAG. OAG retains sole discretion to determine whether to undertake any action, including any actions relating to clean energy, climate change, and environmental matters of regional and national importance or involving New York University or any of its affiliates.

D. Communications and Reporting

1. The State Impact Center will not have a proprietary interest in the work product generated by the Legal Fellow during the fellowship. The State Impact Center will not be authorized to obtain confidential work product from the Legal Fellow unless the Legal Fellow has obtained prior authorization from the Legal Fellow's supervisor at the OAG.
2. The OAG acknowledges that New York University may be required to make filings or disclosures that reference the OAG, the Legal Fellow, or the Legal Fellowship Program, and that the OAG is not required to review or approve any such filings except where New York University requests such review or approval.
3. Notifications to the OAG relating to this agreement should be directed to:

Name, Title
State of Wisconsin

Office of the Attorney General
Address
Email

4. Notifications to the State Impact Center relating to this agreement should be directed to:
Bethany Davis Noll, Executive Director
State Energy & Environmental Impact Center at NYU School of Law
139 MacDougal St, Wilf Hall
New York, NY 10012
bethany.davisnoll@nyu.edu

E. Miscellaneous

1. This Agreement constitutes the complete understanding of the parties and supersedes any other agreements between the parties. No amendment to this Agreement will be valid and binding unless reduced to writing and signed by the parties.
2. This agreement shall not be assigned by either party without the consent of the other party.
3. This Agreement may be executed in multiple counterparts, each of which will be fully effective as an original and all of which together will constitute the same document. The parties may exchange of copies of this Agreement and signature pages in electronic form.

Dated: DATE, 2021

New York University

By: _____
Bethany Davis Noll
Executive Director
State Energy & Environmental Impact Center

Dated: October __, 2021

Wisconsin Attorney General's Office

By: _____
Name
Title

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Employee Secondment Agreement between the Wisconsin Department of Justice and the State Energy & Environmental Impact Center at NYU School of Law.

This AGREEMENT ("Agreement") is entered into as of November 5, 2021, by and between NEW YORK UNIVERSITY ("NYU"), a New York not-for-profit education corporation, on behalf of the NYU School of Law's State Energy and Environmental Impact Center (the "State Impact Center"), and the Wisconsin Department of Justice (DOJ).

WHEREAS, The State Impact Center seeks to provide a supplemental, in-house resource to state attorneys general and their senior staffs on clean energy, climate change and environmental matters of regional and national importance; and

WHEREAS, As part of its activities, the State Impact Center conducts a legal fellowship program ("Legal Fellowship Program"), which seeks to provide attorneys to act as fellows in the offices of certain state attorneys general ("Legal Fellows"); and

WHEREAS, DOJ has been selected by the State Impact Center to participate in Legal Fellowship Program; and

WHEREAS, DOJ has the authority consistent with applicable law and regulations to accept a Legal Fellow whose salary and benefits are provided by an outside funding source.

NOW, THEREFORE, for good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, the State Impact Center and DOJ agree to the following:

A. Terms of Service for the Legal Fellowship Program at DOJ:

1. The State Impact Center will provide the services of one attorney to DOJ to act as a Legal Fellow.
2. The specific start and end dates for services will be determined with the mutual agreement between the Legal Fellow, DOJ, and the State Impact Center, provided, however, that the term of the fellowship will be for one year with the expectation that a second one-year term will follow, subject to the mutual agreement among the parties (the "Fellowship Period").
3. During the Fellowship Period, the Legal Fellow will be under the direction and control of, and owe a duty of loyalty to, DOJ, and will be subject to DOJ's policies regarding employee conduct, including the policies regarding time and attendance, outside activities, conflicts of interests, and confidentiality. The Legal Fellow will receive instruction and materials regarding these requirements from DOJ at the commencement of his or her fellowship.
4. During the Fellowship Period, salary and benefits will be provided to the Legal Fellow by the NYU School of Law.

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5. During the Fellowship Period, the Legal Fellow, as an agent of the DOJ, will be covered under Wis. Stat. §§ 893.82, 895.46, to the extent provided therein.
6. DOJ may terminate the services of the Legal Fellow for any reason upon seven (7) days' written notice to the State Impact Center, provided that DOJ will attempt to resolve any performance or other issues involving the Legal Fellow with the Legal Fellow and the State Impact Center before terminating the services of the Legal Fellow. The State Impact Center may terminate this Agreement for any reason upon seven (7) days' written notice to DOJ.

B. Nature of the Fellowship Position at the OAG

1. During the Fellowship Period, DOJ will provide the Legal Fellow the title of Special Assistant Attorney General.
2. DOJ will assign the Legal Fellow substantive work and responsibility matching that of other attorneys in the agency with similar experience and background. The Legal Fellow's substantive work will be primarily on matters relating to clean energy, climate change, and environmental matters of regional and national importance.
3. DOJ will aim to include the Legal Fellow in the range of its work where possible, such as strategy discussions and court appearances.
4. DOJ will afford the Legal Fellow the opportunity to partake in the extensive legal education, including CLEs, offered by the DOJ to its attorneys.

C. Prohibited Activity

1. DOJ may not request or permit the Legal Fellow to engage as part of his or her employment in any activities that would constitute any of the following:
 - a. to carry on propaganda, or otherwise attempt to influence any specific legislation through (i) an attempt to affect the opinion of the general public or any segment thereof or (ii) communication with any member or employee of a legislative body, or with any other governmental official or employee who may participate in the formulation of the legislation (except technical advice or assistance provided to a governmental body or to a committee or other subdivision thereof in response to a written request by such body, committee or subdivision), other than through making available the results of non-partisan analysis, study or research;
 - b. to engage in any other activity that may constitute lobbying under federal, state, or local laws or regulations;
 - c. to influence the outcome of any specific public election; or
 - d. to support the election or defeat of a candidate for public office, finance

PRIVILEGED & CONFIDENTIAL

electioneering communications, register prospective voters or encourage the general public or any segment thereof to vote in a specific election.

2. DOJ may not request or permit the Legal Fellow to participate, as part of his or her employment, in any matter that involves NYU or any of its affiliates; and, to the extent that DOJ participates in a matter that involves NYU or any of its affiliates, DOJ will create an ethical wall between the Legal Fellow and DOJ with regard to the matter to ensure that the Legal Fellow has access to no information relating to the matter.
3. DOJ has determined that NYU's payment of salary and benefits to the Legal Fellow and the provision of services by the Legal Fellow to DOJ do not constitute an impermissible gift under applicable law or regulation. No part of this agreement is intended to induce DOJ to undertake or refrain from undertaking any action within the purview of DOJ. DOJ retains sole discretion to determine whether to undertake any action, including any actions relating to clean energy, climate change, and environmental matters of regional and national importance or involving NYU or any of its affiliates.

D. Communications and Reporting

1. The State Impact Center will not have a proprietary interest in the work product generated by the Legal Fellow during the fellowship. The State Impact Center will not be authorized to obtain confidential work product from the Legal Fellow unless the Legal Fellow has obtained prior authorization from the Legal Fellow's supervisor at DOJ.
2. DOJ acknowledges that NYU may be required to make filings or disclosures that reference DOJ, the Legal Fellow, or the Legal Fellowship Program, and that DOJ is not required to review or approve any such filings except where NYU requests such review or approval.
3. Notifications to DOJ relating to this agreement should be directed to:

Name: R. Duane Harlow, Division of Legal Services - PP Unit
Title: Assistant Attorney General, Unit Director
State of Wisconsin
Department of Justice
Address: PO Box 7857
Madison, WI 53707-7857
Email: HarlowRD@doj.state.wi.us

4. Notifications to the State Impact Center relating to this agreement should be directed to:
Bethany Davis Noll, Executive Director

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State Energy & Environmental Impact Center, NYU School of Law
139 MacDougal St, Wilf Hall
New York, NY 10012
bethany.davisnoll@nyu.edu

E. Miscellaneous

1. This Agreement constitutes the complete understanding of the parties and supersedes any other agreements between the parties. No amendment to this Agreement will be valid and binding unless reduced to writing and signed by the parties.
2. This agreement shall not be assigned by either party without the consent of the other party.
3. This Agreement may be executed in multiple counterparts, each of which will be fully effective as an original and all of which together will constitute the same document. The parties may exchange of copies of this Agreement and signature pages in electronic form.

Dated: November 5, 2021

New York University

By: 

Bethany Davis Noll
Executive Director
State Energy & Environmental Impact Center

Dated: November 15, 2021

Wisconsin Department of Justice

By: 

Name: Eric J. Wilson

Title: Deputy Attorney General

Re: NAAG meeting in Chicago

From: "Zolik, Nathan J." <zoliknj@doj.state.wi.us>
To: "Phillips, Donte J." <phillipsdj@doj.state.wi.us>, "Viste, Ashley E." <vistee@doj.state.wi.us>
Date: Thu, 11 Apr 2024 07:59:25 -0500

Ok, thanks. Let me know what the response is to Bethany's request.

Nate
608.287.4713
From: Phillips, Donte J. <PhillipsDJ@doj.state.wi.us>
Sent: Thursday, April 11, 2024 7:47 AM
To: Zolik, Nathan J. <ZolikNJ@doj.state.wi.us>; Viste, Ashley E. <vistee@doj.state.wi.us>
Subject: Re: NAAG meeting in Chicago

Specifically, they are attending only on the 24th.

Donte' Phillips | Senior Communications Specialist
State of Wisconsin Department of Justice
Office of the Attorney General
pronouns: he/him/his
phillipsdj@doj.state.wi.us
Phone: (608) 609-0776



[Click here to give](#)

From: Phillips, Donte J. <PhillipsDJ@doj.state.wi.us>
Sent: Thursday, April 11, 2024 7:46:25 AM
To: Zolik, Nathan J. <ZolikNJ@doj.state.wi.us>; Viste, Ashley E. <vistee@doj.state.wi.us>
Subject: Re: NAAG meeting in Chicago

Yes, Josh and Ashley will be attending together.

Donte'

Donte' Phillips | Senior Communications Specialist
State of Wisconsin Department of Justice
Office of the Attorney General
pronouns: he/him/his
phillipsdj@doj.state.wi.us
Phone: (608) 609-0776



[Click here to give](#)

From: Zolik, Nathan J, <ZolikNJ@doj.state.wi.us>
Sent: Wednesday, April 10, 2024 9:19:18 PM
To: Viste, Ashley E. <vistee@doj.state.wi.us>; Phillips, Donte J. <PhillipsDJ@doj.state.wi.us>
Subject: Fwd: NAAG meeting in Chicago

Ashley or Donte,

Do you know if Josh is attending NAAG in Chicago later this month? See below.
Thanks,

Nate
608.287.4713

From: Bethany Davis Noll <bethany.davisnoll@nyu.edu>
Sent: Wednesday, April 10, 2024 4:47:45 PM
To: Zolik, Nathan J. <ZolikNJ@doj.state.wi.us>; Harlow, R. Duane <HarlowRD@DOJ.STATE.WI.US>
Cc: Jessica Rachel Bell <jessica.bell@nyu.edu>
Subject: NAAG meeting in Chicago

EXTERNAL EMAIL: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Nate and Duane,

I hope you've been well.

I'm wondering if you know if AG Kaul will be at the Chicago NAAG meeting coming up at the end of the month (https://secure-web.cisco.com/18U89-G-mscvSYVWXG4KOTSN072R11F2MWK0Ec3PTZPY6c-Gv7Mk1n477aJPI3FVWWmYlaV7qTsZI8p8ULuHK4LdFrziOZ3we-s15duE33ZyaSU6qTPcNMB35Cj7uet4j9PcszDhZ2RQSRqR1ZE3D4WFL4kiJLZe1uorRlofQmddhrPWhfJcsOwAqk0QGcTRnRVlEzC4Mx_hRACKe2uRGdmawKTVWlIB5hpNTHWZccUwb4RX3U3GfPLKBatSsPftqD9wYq8vh7ce8jWpuORfcBAIGAF7A0zGpi1mwTuPHTPopumC3-o_mogmLe3QFMZ5ZuXx1zYDsTlg1WYJgUz32_qgrA9dCflswPhgNV99LrL.FoyF2IS1JbOpOzH4aK2YxxdatYeVli_S6iq_wrh-lh2Q265FyTqVnFbi8ITQ1gluD_rf42vWa1zEgoRcYHPks0pCnd-ewSmZnEckIE4Eq/https%3A%2F%2Fwww.naag.org%2Fevent%2F2024-attorney-general-spring-symposium%2F)? If he will be there, I'd love to set aside some time to chat with him while there; Brian Frosh would join me. Let me know what you suggest and if you're not the people to bother with this, let me know if I should run this by someone else? I really appreciate it!

All my best,
Bethany

--
Bethany A. Davis Noll

Executive Director

State Energy & Environmental Impact Center

New York University School of Law

Wilf Hall, 139 MacDougal Street

New York, NY 10012

cell: 646-612-3458

email: bethany.davisnoll@nyu.edu

twitter: @bdavisnoll
Pronouns: She, Her

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FW: WI EJ Presentation

From: Kelly Peaks <kp3739@nyu.edu>
 To: "Henry, Carolyn J." <henrycj@doj.state.wi.us>
 Date: Thu, 07 Nov 2024 11:31:00 -0600
 Attachments: Unnamed Attachment (13.92 KB); Invite.ics (3.3 KB)

Hi all,
 Folks from the NYU State Impact Center will be giving the EP section a presentation on environmental justice and how to advance EJ work at AG offices. The presentation is optional, but I strongly encourage you to attend because there will be a lot of useful information presented.
 Thank you,
 Brad

-----Original Appointment-----

From: Kelly Peaks <kp3739@nyu.edu>
 Sent: Wednesday, November 6, 2024 1:02 PM
 To: Kelly Peaks; Bethany Davis Noll; Motl, Bradley J.; Gladys Limon; Kamp, Tressie K.; Grzebielski, Kevin L.
 Subject: WI EJ Presentation
 When: Thursday, December 5, 2024 3:00 PM-4:30 PM:America/New_York.
 Where:

EXTERNAL EMAIL: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

<p>When Thursday Dec 5, 2024 - 3pm -4:30pm (Eastern Time - New York)</p>	<p>Join Zoom Meeting: nyu.zoom.us/j/98315871196 ID: 98315871196 Join by phone +1 646-558-8656 (US) Join using SIP 98315871196@zoomcrc.com</p>
<p>Guests Kelly Peaks - organizer</p>	<p>Joining instructions Joining notes</p>

Bethany
Davis Noll
motbj@doj.st
ate.wi.us
Gladys
Limon
kamptk@doj.
state.wi.us
grzebielskikl
@doj.state.wi
.us
View all
guest info

Reply for
motbj@doj.st
ate.wi.us

M J Y
a ? e
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More
option
s

Zoom for G Sulte Add-On Help

kp3739@nyu.edu Meeting host:

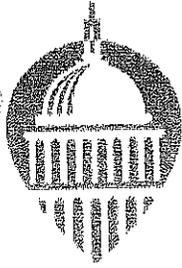
Join Zoom Meeting:

https://secure-web.cisco.com/1RS2A18J-
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https%3A%2F%2Fnyu.zoom.us%2Fj%2F98315871196

Invitation from Google Calendar

You are receiving this email because you are an attendee on the event. To stop receiving future updates for this event, decline this event.

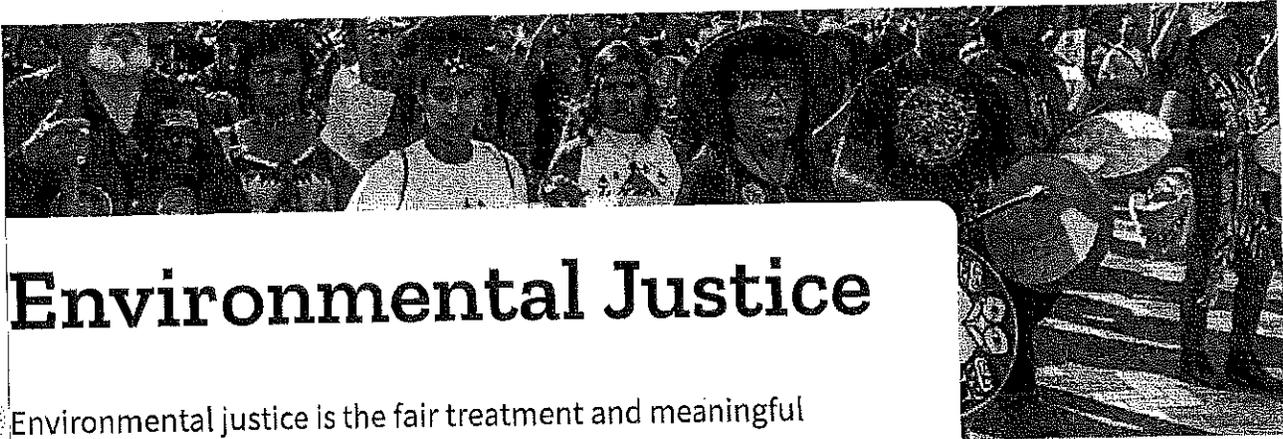
Forwarding this invitation could allow any recipient to send a response to the organizer, be added to the guest list, invite others regardless of their own invitation status, or modify your RSVP. Learn more



State Energy &
Environmental
Impact Center
NYU SCHOOL OF LAW

Menu

Home → Issues in Focus → Environmental Justice



Environmental Justice

Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income as environmental laws and regulations are developed, implemented, and enforced.

Low-income communities and communities of color across the country suffer some of the worst and most persistent environmental problems. For example, coal-burning power plants that emit nitrogen oxides and volatile organic compounds that react to produce high-levels of ozone-causing smog are disproportionately located in these communities. As a result, these communities often suffer from higher rates of asthma and other adverse health effects. Likewise, poorer communities and communities of color often drink contaminated water – the result of industrial dumping of pollutants and toxicants near or in bodies of water and the failure to invest in infrastructure to treat and clean dirty water.

State attorneys general have been working to address this persistent challenge by prioritizing environmental justice in their

ENVIRONMENTAL JUSTICE

[Environmental
Justice
Overview](#)

[Environmental
Justice
Mapping](#)

[Environmental
Justice at State
AG Offices](#)

[Environmental
Justice State
Statutes](#)

offices' environmental work. Specifically, attorneys general have created sections within their offices to focus on environmental justice issues, cracked down on pollution located in low-income communities and communities of color and sought to ensure those same communities can access the country's public lands.

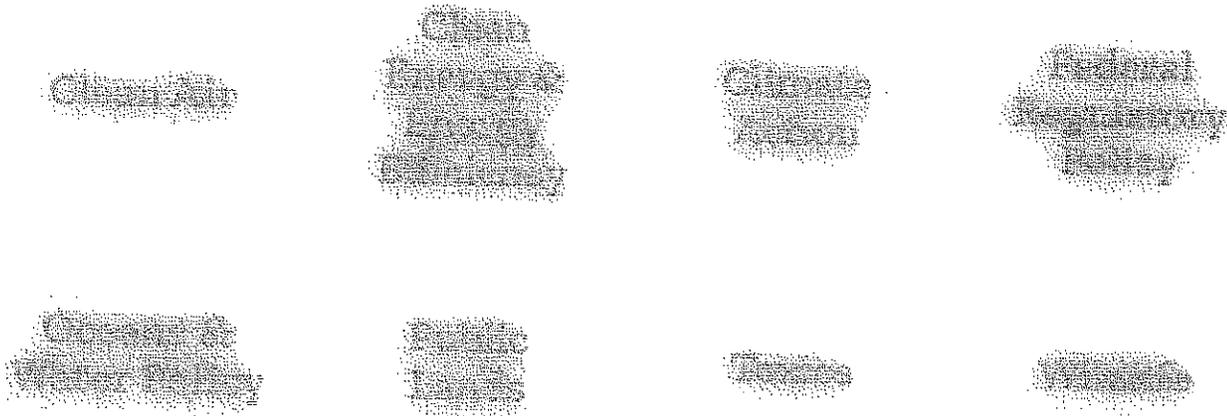
Environmental
Justice in the
Media

Photo by John Duffy, 2016.

On January 10, 2022 the State Impact Center launched Expanding AG EJ Practice, a resource that highlights the expanding environmental justice work of attorneys general (AGs), identifies states which have already begun to incorporate environmental justice practices into existing programs, and documents and provides tools to help inform future work.

VISIT OUR EJ RESOURCE

 **Explore more issues**



FW: NYU Fellow - Getting another position

From: "Sutherland, Lara" <sutherlandl@doj.state.wi.us>
To: "Zolik, Nathan J." <zoliknj@doj.state.wi.us>
Date: Fri, 31 Jan 2025 11:43:40 -0600

Nate, this is an FYI that we will be receiving a second NYU fellow as discussed. Please let me know if there are any concerns or questions.



LARA SUTHERLIN | Administrator
She/her/hers
Wisconsin Department of Justice
Division of Legal Services
17 West Main Street, Madison, WI 53703
SutherlandL@doj.state.wi.us

PLEASE NOTE: While government records are generally subject to disclosure pursuant to the public records law, this email, including any attachments, may contain confidential and/or privileged information exempt from public disclosure. If you are not the intended recipient or believe that you received this email in error, please notify the sender immediately.

From: Grzebielski, Kevin L. <GrzebielskiKL@doj.state.wi.us>
Sent: Thursday, January 30, 2025 3:59 PM
To: Sutherland, Lara <SutherlandL@doj.state.wi.us>
Cc: Mott, Bradley J. <mottbj@doj.state.wi.us>
Subject: NYU Fellow - Getting another position

Hi Lara,

As we discussed today, NYU has offered us another fellowship position. The position would have an emphasis on environmental justice, although we picture a roughly 25% share for that. If you can, would you please send me the project description for Karen's job that Duane completed? We'll use it to get a project description for this new position.

Thanks!
Kevin



Volunteer Agreement

Volunteer Name Zachary B. Corrigan		Position Title Special Asst. Attorney General	
Address [REDACTED]		City [REDACTED]	State ZIP + 4 [REDACTED]
Daytime Phone No. [REDACTED]	Cell Phone No. [REDACTED]	Email Address [REDACTED]	
Emergency Contact [REDACTED]		Emergency Contact Daytime Phone Number [REDACTED]	
Dates of Agreement (mm/dd/yyyy) From 05/08/21 To 05/08/22		Scheduled Hours/Week 40	Schedule (e.g., every Friday, Wednesday through Saturday, varies, etc.) Mon-Fri
Volunteer Location			
Name of State Agency Department of Justice		Site/Program/Activity	
Address PO Box 7857		City Madison, WI	State ZIP + 4
Volunteer Supervisor Name Duane Harlow		Title	Phone Number

This agreement for volunteer services is entered into by and between the volunteer and the State agency named above. The volunteer and the State agency mutually agree to the following responsibilities:

Volunteer:

1. Will be under the supervision, direction and control of the supervisor named above.
2. Shall be available for scheduled service times(s) listed above.
3. Understands that s/he is a volunteer and NOT an employee of the State of Wisconsin or the State agency named above and is not eligible for any benefits, including Worker's Compensation.
4. Understands all duties expected to be performed that appear on the Position Description and that additional duties may be added as needed.
5. Understands all work rules that are to be followed.
6. Understands that the State agency named above will provide no compensation.
7. If volunteer will be driving a State vehicle as part of his/her assigned duties, s/he will only do so after completing a Volunteer Driver Vehicle Use Agreement (DOA-3685), receiving and understanding the statewide Fleet Driver and Management Policies and Procedures, meeting the minimum driving standards, receiving proper authorization to drive a State vehicle, and, when driving a vehicle, will strictly follow the route designated by the agency.

State Agency Named Above:

1. Will provide the volunteer with a Position Description describing duties to be performed.
2. Will provide training required to perform the agreed upon duties.
3. Will educate volunteers on safety awareness in the workplace.
4. Will provide necessary volunteer safety and equipment related items.
5. Will subsequently and periodically review work performance with the volunteer.
6. Will regard the volunteer as an agent of the State as provided in s. 885.46, Wis. Stats. As an agent of the State, the volunteer will be entitled to all the protections provided by s. 885.46, Wis. Stats.
7. Will review and update this Volunteer Agreement on at least an annual basis.

Either the volunteer or the State agency named above may cancel this agreement at any time.

Volunteer's Signature 	Date (mm/dd/yyyy) 04/09/22
Authorized State Agency Representative Signature 	Date (mm/dd/yyyy)

This document can be made available in alternate formats to individuals with disabilities upon request.

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DCA-3009 (R10/2008)
S. 895.46, WIS. STATS.



BUREAU OF STATE RISK MANAGEMENT
101 E. WILSON STREET, 5TH FLOOR
P. O. BOX 77008
MADISON, WI 53707-1008
(608) 266-0168

Volunteer Agreement - Cash Exchange

Completion of this portion of the form is only necessary for work involving exchange of cash as an agent of the state. Personal information collected will be used to administer the specific program to which you are volunteering only. There may be additional forms to be completed. Information provided may be available upon request as required under Wisconsin's Open Records Law (ss. 19.31-19.39, Wis. Stats.)

This form must be filled out by anyone not an employee of the state and proposing to do work involving exchange of cash on a state-owned or operated property. It is important to know that as a volunteer you are not eligible for benefits reserved for employees including Worker's Compensation.

Volunteer Name	Name of State Agency	Site/Program/Activity
Zachary B. Corrigan	WI DOJ	

I have read the terms of this Agreement and understand that I am held accountable for my actions as a volunteer and that any funds entrusted to me will be handled according to my specific state program's procedures; any misconduct may lead to termination and/or prosecution to the full extent of the law. I will comply with any Manual Codes and handbooks as applicable.

Volunteer's Signature (Volunteer Must be at Least 18 Years of Age) _____ Date (mm/dd/ccyy) 04/09/22

This document can be made available in alternate formats to individuals with disabilities upon request.

RE: PPU Biweekly Agenda - Am I missing anything?

From: "Grzebielski, Kevin L." <kevin.grzebielski@wisdoj.gov>
To: "McFarlane, Laura E." <laura.mcfarlane@wisdoj.gov>, "Mott, Bradley J." <bradley.mott@wisdoj.gov>
Date: Wed, 02 Jul 2025 09:15:09 -0500

Excellent. Thanks all!

From: McFarlane, Laura E. <Laura.McFarlane@wisdoj.gov>
Sent: Wednesday, July 2, 2025 9:14 AM
To: Mott, Bradley J. <Bradley.Mott@wisdoj.gov>; Grzebielski, Kevin L. <Kevin.Grzebielski@wisdoj.gov>
Subject: RE: PPU Biweekly Agenda - Am I missing anything?

Attorney Work Product Privilege

Laura E. McFarlane | Assistant Attorney General
Deputy Director, Public Protection Unit
State of Wisconsin Department of Justice
laura.mcfarlane@wisdoj.gov
Phone: (608) 266-8911

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From: Mott, Bradley J. <Bradley.Mott@wisdoj.gov>
Sent: Tuesday, July 1, 2025 4:55 PM
To: Grzebielski, Kevin L. <Kevin.Grzebielski@wisdoj.gov>; McFarlane, Laura E. <Laura.McFarlane@wisdoj.gov>
Subject: RE: PPU Biweekly Agenda - Am I missing anything?

Attorney Work Product Privilege

- Now that the state budget has passed (or will be shortly), can we restart discussions about a 2nd NYU fellow? That shouldn't be affected by the hiring freeze because NYU pays for the person.
- Lara's review of Tressie and Zach's evals so that I can get that to Tressie before she leaves (I am still working on Jen's)

Thanks,
Brad



BRADLEY J. MOTL | Assistant Attorney General
Wisconsin Department of Justice
Public Protection Unit
P.O. Box 7857
Madison, WI 53707-7857
bradley.motl@wisdoj.gov
Phone: (608) 267-0505

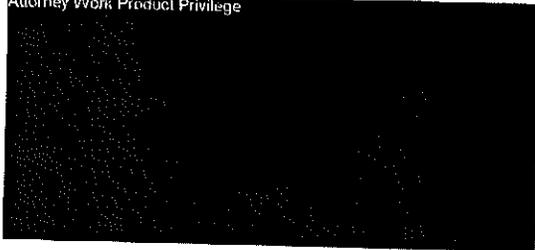
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From: Grzebielski, Kevin L. <Kevin.Grzebielski@wisdoj.gov>
Sent: Tuesday, July 1, 2025 4:35 PM
To: Motl, Bradley J. <Bradley.Motl@wisdoj.gov>; McFarlane, Laura E. <Laura.McFarlane@wisdoj.gov>
Subject: PPU Biweekly Agenda - Am I missing anything?

I haven't had a biweekly with Lara for a while, and a lot has happened. Please let me know if I am missing anything from this agenda (i.e., let me know if you want me to talk to her about anything else):

- Staff Morale
- HR Issues/Recruitment
 - Tressie leaving: 7/18/25
 - Perry leaving: 8/15/25
 - Jarod departure: ?
 - CP Paralegal Advanced (.8)
- Client relations
- Time Sensitive Issues/Select Hot Cases

Attorney Work Product Privilege



- Procurement needs/requests
- Training needs/requests
- Unit projects
- Miscellaneous

283.2

No.

OATH OF OFFICE

of

ZACHARY B. CORRIGAN



NYU Fellow Zac Corrigan

From: "Harlow, R. Duane" <harlowrd@doj.state.wi.us>
To: "Ertel, Emily M." <ertelem@doj.state.wi.us>, "Geers, Sarah C." <geerssc@doj.state.wi.us>, "Kamp, Tressie K." <kampk@doj.state.wi.us>, "Limbach, Jennifer S." <limbachjs@doj.state.wi.us>, "Stoltzfus, Lorraine C." <stoltzfuslc@doj.state.wi.us>
Cc: "Motl, Bradley J." <motlbj@doj.state.wi.us>
Date: Thu, 05 May 2022 14:20:23 -0500

All,

As you know, Zac Corrigan soon will be joining the Environmental Protection Section. Zac is joining the DOJ as a Fellow through New York University. He starts his work with us on Monday May 9, 2022, but much of Zac's first day will be taken up with HR meetings. If time permits, we will bring him around to briefly introduce him to each of you.

At the outset, we will be assigning Zac to cases and assigning one or more of you as co-counsel. In those cases, we expect that Zac will take the laboring oar and the AAG assigned as co-counsel will be there to guide and mentor. I know that he is a very bright and capable lawyer, and he will greatly benefit from being paired with the exceptional environmental lawyers that we have on staff. As we work through our case reviews with you this month, we may discuss the possibility of reassigning one or more of your current cases to Zac.

If you have any questions or would like to discuss assignments with Zac, please reach out to Brad and/or me. Thanks.

Duane

R. Duane Harlow
 Assistant Attorney General
 Director, Public Protection Unit
 Wisconsin Department of Justice
 17 West Main Street
 Post Office Box 7857
 Madison, Wisconsin 53707-7857
 Direct line: 608-266-2950
 Fax: 608-266-2250
 email: harlowrd@doj.state.wi.us

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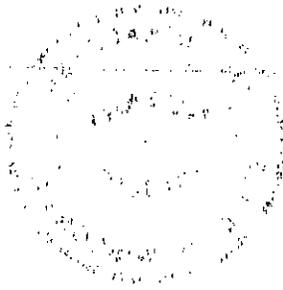
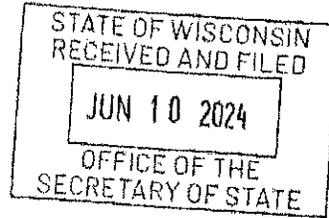
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of

Karen M. Heineman



2832

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COLIN R. STROUD





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To provide you with greater control over how your personal information displayed in the Lawyer Directory, the State Bar is introducing more selective privacy options. Please visit the updated Lawyer Directory Preferences or read about these changes in InsideTrack.

Attorney Information

Atty: Colia Stroud
County: Dane

Member ID: 1119457
Languages: English
WI Admission: 10/15/2019
License Status: **Good Standing**
Member Type: **ACTIVE**

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FW: Fellowship Questions

From: "Trastek, Kristina J." <kristina.trastek@wisdoj.gov>
To: "Zolik, Nathan J." <zoliknj@doj.state.wi.us>
Date: Thu, 21 Dec 2023 06:38:21 -0600
Attachments: Zach Corrigan State Impact Center Law Fellow Acceptance W1.pdf (189.83 kB); Volunteer Agreement-Zachary Corrigan.pdf (224.42 kB); OOO_StroudColin.pdf (98.44 kB); OTHER_OATH_CorriganZacharyB_072722.pdf (53.39 kB); Stroud, Colin R. - DLS volunteer - Public Rights.pdf (119.66 kB); 1449-Wisconsin Department of Justice_PRP_With Appendices.pdf (578.36 kB)

Hi Nate,

Sorry for the one by one emails yesterday. Pamela was out so it was a bit of a scramble to find the documents and get them over to you. Pamela was able last night to put everything into one email and found both Oaths.

Let me know if there is anything else you need.

Thanks!

KT

From: Fredrick, Pamela J. <FredrickPJ@doj.state.wi.us>
Sent: Wednesday, December 20, 2023 4:55 PM
To: Trastek, Kristina J. <kristina.trastek@wisdoj.gov>
Subject: RE: Fellowship Questions

Since Zach and Colin weren't DOJ employees, it doesn't look like we issued appointment letters.

Attached is:

- Zach's letter from NYU, I also attached the Volunteer agreement he signed.
- Colin's signed agreement and volunteer agreement.

I attached Colin and Zach's Oath's.

-Pamela

Pamela Fredrick | HR Specialist-Senior
fredrickpj@doj.state.wi.us
 Cell: (608) 419.3546

From: Trastek, Kristina J. <kristina.trastek@wisdoj.gov>
Sent: Wednesday, December 20, 2023 4:27 PM
To: Fredrick, Pamela J. <FredrickPJ@doj.state.wi.us>
Subject: RE: Fellowship Questions

165.055

Appointments

(1) The attorney general may appoint a deputy attorney general and assistants each of whom shall be an attorney at law admitted to practice in this state. Such appointments shall be made in writing and filed in the office of the secretary of state, and such appointees shall take and subscribe the constitutional oath of office which shall also be filed. Appointees shall perform such duties as the attorney general prescribes.

11

Re: Wheeler Report - 02/14/25

From: "Grzebielski, Kevin L." <grzebielskiKL@doj.state.wi.us>
To: "Motl, Bradley J." <motlbj@doj.state.wi.us>, "McFarlane, Laura E." <mcfarlanele@doj.state.wi.us>
Date: Fri, 14 Feb 2025 20:48:41 -0600

People need to get a life.

Get Outlook for iOS
From: Motl, Bradley J. <motlbj@doj.state.wi.us>
Sent: Friday, February 14, 2025 8:47:48 PM
To: Grzebielski, Kevin L. <GrzebielskiKL@doj.state.wi.us>; McFarlane, Laura E. <mcfarlanele@doj.state.wi.us>
Subject: FW: Wheeler Report - 02/14/25

FYI - see below about the ethics complaint filed against AG Kaul for using an NYU fellow.

ETHICS COMPLAINT FILED/BILL BEING CIRCULATED

A complaint has been filed with the Wisconsin Ethics Commission against Attorney General Josh Kaul for his employment of Legal Fellows from the NYU's State Energy & Environmental Impact Center, one in 2022 and another in January 2024. The complaint was filed February 12, 2025. The complain cites Milwaukee Journal Sentinel columnist Daniel Bice's piece, where Bice highlights that Kaul hired a new special assistant attorney general on environmental litigation. According to Bice, the position is paid for by the State Energy and Environmental Impact Center (SEEIC). Bice notes that the Center was launched with a \$6 million grant from Michael Bloomberg. The complaint includes:

1. Attorney General Kaul's Acceptance of Free Legal Services From the Center Violates Wis. Stat. § 19.45(3) Because One Would Reasonably Expect The Gift to Influence His Official Actions and Judgments
 1. The Center intends to influence the Attorney General to engage in progressive environmental litigation and that intent brings the gifts squarely within the statute.
 2. That the free legal services are expected to be used to further certain kinds of litigation creates at least the appearance, if not the fact, of an improper quid pro quo.
 3. The Center's program is designed to cause state Attorneys General to initiate additional environmental litigation and has had its intended effect.
 4. The limited-duration, renewable nature of the free legal services empowers the Center to influence Attorneys General by refusing further funding if a state Attorney General fails to cooperate with its agenda.
2. The appearance of improper influence is not negated by Attorney General Kaul's own policy positions or the contract between DOJ and NYU.

In response, a bill is being circulated in the legislature for cosponsorship by Rep. O'Connor and others pertaining to the topic. LRB-0908/1, Prohibits the Department of Justice from utilizing the legal services of nongovernmental employees. The LRB summary states:

This bill prohibits the Department of Justice from using the legal services of any person who is not a state employee or federal employee or agent to assist in the investigation or prosecution of any civil or criminal cause or matter unless DOJ uses a specific process under current law for contracting for legal services on a contingent fee basis or that person is a legal intern who earns no more than \$10,000 annually from their internship employer.

The cosponsorship memo/press release lists the following additional legislators as authors of the bill:



BRADLEY J. MOTL | Assistant Attorney General
Wisconsin Department of Justice
Public Protection Unit
P.O. Box 7857
Madison, WI 53707-7857
motlbi@doj.state.wi.us
Phone: (608) 267-0505

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From: wheeler@thewheelerreport.com <wheeler@thewheelerreport.com>
Sent: Friday, February 14, 2025 4:49 PM
To: *DOJ - Wheeler Report Recipients <dojwheelerreport@doj.state.wi.us>
Subject: Wheeler Report - 02/14/25



The Wheeler Report

Covering the Wisconsin Legislature since 1972

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Friday, February 14, 2025

COMMITTEE NOTICES

Senate Committee on Judiciary & Public Safety, 10:00 am, Tue, Feb 18, 411 South
([Google Calendar](#) / [iCal](#) / [Outlook](#)) Executive Session

SB-006 Vehicle Impoundment (Jacque, Andre) Impoundment of vehicles used in certain traffic offenses.

SB-025 John Doe Changes (Hutton, Rob) Court-issued criminal complaints in officer-involved deaths.

Senate Committee on Judiciary & Public Safety, 10:01 am, Tue, Feb 18, 411 South
(Google Calendar iCal/Outlook) Hearing

SB-005 Battery to Juror (Wanggaard, Van) Battery or threat to jurors and providing a penalty.

SB-015 Adults at Risk (Jacque, Andre) Increased penalties for crimes against adults at risk; restraining orders for adults at risk; freezing assets of a defendant charged with financial exploitation of an adult at risk; sexual assault of an adult at risk; and providing a penalty.

SB-033 Nudity Depictions (Jacque, Andre) Representations depicting nudity and providing a penalty.

CO-SPONSORSHIP MEMOS

LRB-1933 Memo DOJ Positions (Quinn, Romaine) Positions for the Office of School Safety. *Deadline: Friday, February 28, 2025 12:00*

LRB-2168 Memo PFAS (Wimberger, Eric) Programs and requirements to address PFAS. *Deadline: Friday, February 28, 2025 17:00*

LRB-2170 Memo PFAS (Wimberger, Eric) Exempting certain persons from PFAS enforcement actions under the spills law. *Deadline: Friday, February 28, 2025 17:00*

WIMBERGER AND MURSAU PROPOSES PFAS LEGISLATION

Sen. Eric Wimberger and Rep. Jeff Musau are circulating two bills focused on PFAS contamination. The first bill, LRB-2168, relates to programs and requirements to address PFAS. The second bill, LRB-2170, pertains to exemptions for certain persons from PFAS enforcement actions under the spills law.

According to the LRB analysis, LRB-2168 does the following:

- Municipal PFAS grant program: The bill requires the Department of Natural Resources to create a municipal PFAS grant program, which applies only to types of PFAS for which there is a state or federal standard, a public health recommendation from the Department of Health Services, or a health advisory issued by the federal Environmental Protection Agency.
- Innocent landowner grant program: The bill also requires DNR to create an innocent landowner grant program, which applies only to types of PFAS for which there is a state or federal standard, a public health recommendation from the Department of Health Services, or a health advisory issued by the federal Environmental Protection Agency.
- Limitations on DNR actions relating to PFAS: Under the bill, DNR may not prevent, delay, or otherwise impede any construction project or project of public works based on a presence of PFAS contamination unless DNR determines that 1) the project poses a substantial risk to public health or welfare, 2) there is a substantial risk that the project will create worsening environmental conditions, 3) the entity proposing to complete the project is responsible for the original contamination, as a result of conduct that was reckless or was done with the intent to discharge PFAS into the environment, or 4) DNR is specifically required under the federal Clean Water Act to prevent, delay, or otherwise impede the project. In addition, under the bill, if DNR seeks to collect samples from lands not owned by the state based on permission from the landowner, such permission must be in writing, and DNR must notify the landowner that such permission includes the authority to collect samples, to test those samples, and to publicly disclose the results of that testing, results at least 72 hours before publicly disclosing them. The bill also requires DNR, or a third-party contract by DNR, to respond in a timely manner to requests from any person to

- conduct PFAS testing on samples taken from the person's property if practicable and if funds are available to do so, if there is a reasonable belief that PFAS contamination may be present on the property, and if existing information such as public water supply testing data is not available.
- **Firefighting foam:** The bill requires DNR to survey or resurvey local fire departments about their use and possession of PFAS-containing firefighting foam, send communications and information regarding PFAS-containing firefighting foam, and contract with a third party to voluntarily collect PFAS-containing firefighting foam.
 - **Well compensation grant program:** The bill provides that a grant for costs to treat the water may be used to cover the cost of a filtration device and up to two replacement filters.
 - **Portable water treatment system pilot project:** The bill requires DNR to contract with an entity to conduct a pilot project in which PFAS-contaminated surface water is partially or fully diverted to a portable treatment system and treated water is returned to the surface water. DNR and the entity must conduct tests to evaluate the success of the pilot project.
 - **Remedial action at sites contaminated by PFAS:** The bill allows DNR, or a contracted third party, to begin response and remedial actions, including site investigations, at any PFAS-contaminated site where a responsible party has not been identified or where the responsible party qualifies for a grant under the innocent landowner grant program.
 - **Assistance for testing laboratories:** The bill requires DNR and the Board of Regents of the University of Wisconsin System to enter into a memorandum of understanding to ensure that the state laboratory of hygiene provides guidance and other materials, conducts training, and provides assistance to laboratories in this state that are certified to test for contaminants other than PFAS in order for them to become certified to test for PFAS, and to assist laboratories certified to test for PFAS in this state to reduce their testing costs and shorten the timeline for receiving test results.
 - **PFAS studies and reporting:** The bill requires DNR and the Board of Regents of the University of Wisconsin System to enter into a memorandum of understanding to 1) study and analyze the cost, feasibility, and effectiveness of different methods of treating PFAS before they are released into a water system or water body; 2) conduct a cost-benefit analysis of different options for disposing of biosolids or sludge that contains or may contain PFAS; 3) study and analyze the cost, feasibility, and effectiveness of different destruction and disposal methods for PFAS; 4) study and analyze the cost, feasibility, and effectiveness of different methods for remediating PFAS that leave the contaminated medium in place and methods that remove the contaminated medium; 5) study and analyze the migration of PFAS into the bay of Green Bay; 6) study and analyze the migration of PFAS into the Wisconsin and Mississippi Rivers and their tributaries; 7) conduct any additional studies related to PFAS, as approved by the Joint Committee on Finance; and 8) create a comprehensive, interactive map showing all available PFAS testing data and, for each data point, whether it exceeds any applicable state or federal standard for PFAS.
 - **DNR reporting requirements:** The bill requires DNR to report to the legislature once every six months for a period of three years to provide a detailed description of DNR's expenditures under the bill and a detailed description of DNR's progress in implementing the provisions of the bill.
 - **Clean Water Fund Program and Safe Drinking Water Loan Program:** Under the bill, if DNR, when ranking SDWLP or CWFPP projects or determining an applicant's eligibility for assistance under those programs, considers whether an applicant that intends to extend service outside municipal boundaries because of water contamination is "small" or "disadvantaged," DNR must determine the applicant to be small or disadvantaged if the area receiving the extended service would normally be determined to be small or disadvantaged, regardless of whether the existing service area would normally be determined to be small or disadvantaged.
 - **Public water utility projects:** Under the bill, if a water public utility or a combined water and sewer public utility (water utility) fails to obtain a CA before commencing a project for which one is required, PSC may not investigate, impose a penalty against, or bring an action to enjoin the water utility if 1) the water utility undertook the project in response to a public health concern caused by PFAS, the presence of which was unknown to the water utility until shortly before it commenced the project, and the water utility provides evidence showing that the utility has exceeded or is likely to exceed the applicable state or federal standard for that type of PFAS; 2)

the water utility promptly notifies PSC of the work and, within 30 days after commencing the work, submits the appropriate application and supporting documentation to PSC; and 3) the total cost of the project is not greater than \$2,000,000.

- Use of revenue for PFAS source reduction measures: The bill authorizes a municipal public utility or metropolitan sewerage district to use revenues from its water or sewerage services for up to half of the cost of pretreatment or other PFAS source reduction measures for an interconnected customer or other regular customer if the costs incurred are less than the costs of the upgrades otherwise required at the endpoint treatment facility and if the costs are approved by the governing body of the municipality or the metropolitan sewerage district.
- Test wells for community water systems: This bill provides that test wells for community water systems must also be approved by DNR if they are located in special well casing depth areas that have been designated based in whole or in part on the presence of PFAS.

According to the LRB analysis, LRB-2170 does the following:

- The bill exempts the following persons from all of these provisions under the spills law, if the person grants DNR permission to remediate the land at DNR's expense:
 - A person that spread biosolids or wastewater residuals contaminated by PFAS in compliance with any applicable license or permit.
 - A person that owns land upon which biosolids or wastewater residuals contaminated by PFAS were spread in compliance with any applicable license or permit.
 - A fire department, public-use airport, or municipality that responded to emergencies that required the use of PFAS or that conducted training for such emergencies in compliance with applicable federal regulations.
 - A solid waste disposal facility that accepted PFAS.
 - A person that owns, leases, manages, or contracts for property on which the PFAS contamination did not originate, unless the person also owns, leases, manages, or contracts for the property on which the PFAS discharge originated.

ETHICS COMPLAINT FILED/BILL BEING CIRCULATED

A complaint has been filed with the Wisconsin Ethics Commission against Attorney General Josh Kaul for his employment of Legal Fellows from the NYU's State Energy & Environmental Impact Center, one in 2022 and another in January 2024. The complaint was filed February 12, 2025. The complain cites Milwaukee Journal Sentinel columnist Daniel Bice's piece, where Bice highlights that Kaul hired a new special assistant attorney general on environmental litigation. According to Bice, the position is paid for by the State Energy and Environmental Impact Center (SEEIC). Bice notes that the Center was launched with a \$6 million grant from Michael Bloomberg. The complaint includes:

1. Attorney General Kaul's Acceptance of Free Legal Services From the Center Violates Wis. Stat. § 19.45(3) Because One Would Reasonably Expect The Gift to Influence His Official Actions and Judgments
 1. The Center intends to influence the Attorney General to engage in progressive environmental litigation and that intent brings the gifts squarely within the statute;
 2. That the free legal services are expected to be used to further certain kinds of litigation creates at least the appearance, if not the fact, of an improper quid pro quo.
 3. The Center's program is designed to cause state Attorneys General to initiate additional environmental litigation and has had its intended effect;
 4. The limited-duration, renewable nature of the free legal services empowers the Center to influence Attorneys General by refusing further funding if a state Attorney General fails to cooperate with its agenda.
2. The appearance of improper influence is not negated by Attorney General Kaul's own policy positions or the contract between DOJ and NYU.

In response, a bill is being circulated in the legislature for cosponsorship by Rep. O'Connor and others pertaining to the topic, LRB-0908/1, Prohibits the Department of Justice from utilizing the legal services of nongovernmental employees. The LRB summary states:

This bill prohibits the Department of Justice from using the legal services of any person who is not a state employee or federal employee or agent to assist in the investigation or prosecution of any civil or criminal cause or matter unless DOJ uses a specific process under current law for contracting for legal services on a contingent fee basis or that person is a legal intern who earns no more than \$10,000 annually from their internship employer.

The cosponsorship memo/press release lists the following additional legislators as authors of the bill:

- Ron Tusler
- Dave Murphy
- Brent Jacobson
- Bob Donovan
- Ben Franklin
- Eric Wimberger
- Dan Feyen

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RE: Introducing NYU Fellow Karen Heineman

From: "Zalesny, Jill A. - DNR" <jill.zalesny@wisconsin.gov>
To: "Mott, Bradley J - DOJ" <mottbj@doj.state.wi.us>, "Hillman, Lacey C - DNR" <lacey.hillman@wisconsin.gov>
Date: Mon, 22 Jan 2024 07:38:21 -0600

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So happy that she is joining your team and that you have another attorney ☺. I know the EE team will all look forward to working with her.

We are committed to service excellence.

Visit our survey at http://secure-wsb.cisco.com/1duTtAmicpMs8DfTteZvmokbXihc2W6-RV78cdgKzi7X269Atv18siwF8wDmw-VvVW3EraNCehcOrL11FNMcXR51X8f_s5P8UOfCPLP3VJRC99UricicEEB2nt-K-O8y58vJuPC99yEUUVxa8xglZCNLFp3DWWif2XdDA7n1CH2nzMRy2VNXYXgeFaXwhmVCkEkCr0VnV_b8esgDDBSBOYrSTXBLJXu06Zm6QrE9wQ6c4JUIAtx17vwbEax1NFH2JhlVwUjvoNNWqQES7jgldxudlmQ5ALYOCZptUdWYRrnuhXykcreuMHVwWmp-hyphvLQILVE-tjBspBBbm/zUG7K8nsy4RE-x6YQEsopBcY3rvZaCBYPBVXOwvslDnADnDQqRKZc1foSMOz4QCQnXM_IlrheBOvRM9JLUaOh4QMn4sBDLpDONPJUEBfHY4NpNFQiz_TL6qE-gGqgL2uq/http%3A%2F%2Fdnr.wi.gov%2Fcustomersurvey to evaluate how I did.

Jill Zalesny
Phone: 715 416 1939
Jill.Zalesny@Wisconsin.gov

From: Mott, Bradley J. <mottbj@doj.state.wi.us>
Sent: Sunday, January 21, 2024 10:25 PM
To: Hillman, Lacey C - DNR <lacey.hillman@wisconsin.gov>; Zalesny, Jill A - DNR <jill.zalesny@wisconsin.gov>
Subject: FW: Introducing NYU Fellow Karen Heineman

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Hi Jill and Lacey,
See below, FYI. We have a Special AAG starting tomorrow. You will start seeing her name as she is assigned to cases in the coming month. The NYU Fellow position is a 1-year position that may be able to be extended based on several factors.
Let me know if you have any questions.
Thanks,
Brad



BRADLEY J. MOTL | Assistant Attorney General
Wisconsin Department of Justice
Public Protection Unit
P.O. Box 7857
Madison, WI 53707-7857
motlbi@doj.state.wi.us
Phone: (608) 267-0505

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From: Motl, Bradley J.

Sent: Sunday, January 21, 2024 10:22 PM

To: Barkley, Jerod A. <BarkleyJA@doj.state.wi.us>; Corrigan, Zachary B. <CorriganZB@doj.state.wi.us>; Geers, Sarah C. <GeersSC@doj.state.wi.us>; Limbach, Jennifer S. <LimbachJS@doj.state.wi.us>; Kamp, Tressie K. <KampTK@doj.state.wi.us>; Ertel, Emily M. <ertelem@doj.state.wi.us>; Henry, Carolyn J. <henrycjl@doj.state.wi.us>; Melby, LaVina T. <melbylt@doj.state.wi.us>

Cc: Heineman, Karen M. <HeinemanKM@doj.state.wi.us>; Harlow, R. Duane <HarlowRD@DOJ.STATE.WI.US>; McFarlane, Laura E. <mcfarlanele@doj.state.wi.us>; Burr, Barbara A. <burrba@doj.state.wi.us>

Subject: Introducing NYU Fellow Karen Heineman

Hi all,

I am excited to announce that Karen Heineman (copied) has been selected as the NYU Fellow (Special AAG) and she will be starting at DOJ tomorrow, Monday (1/22).

Karen's office will be the one between Zach and Sarah. I will bring her around tomorrow morning after the HR orientation is done.

Please join me in welcoming Karen!

Brad



BRADLEY J. MOTL | Assistant Attorney General
Wisconsin Department of Justice
Public Protection Unit
P.O. Box 7857
Madison, WI 53707-7857
motlbi@doj.state.wi.us
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OVERSIGHT
THE DEPARTMENT
OF JUSTICE

December 18, 2025

(Via US Mail & Email)

Wisconsin Department of Justice
17 West Main Street
Madison, Wisconsin 53703

Government Affairs Director McKinny:

The Senate Special Committee on Oversight of the Department of Justice (the "Committee") was formed to conduct a thorough and impartial examination, investigation, and audit of the operations and priorities of the Wisconsin Department of Justice ("DOJ"). In particular, the Committee was tasked with investigating the extent to which DOJ may be subject to influence from external organizations, advocacy groups, or third-party funding sources, and whether such influence compromises its independence, judgment, loyalty, or accountability to the people of Wisconsin. For more information, please see the enclosed Motion approved by the Senate Committee on Organization.

In furtherance of these purposes, and pursuant to Wis. Stat. § 13.45(7), the Committee hereby demands that DOJ provide the documents and information contained in the enclosed 'Motion 1' to the Committee no later than January 19, 2025. Documents and information should be produced in electronic format. To the extent that such documents or information exist in electronic format, please provide them in their native format. Such documents should be provided to SCODOJ@legis.wiscosin.gov.

As used in the requests below, "record" means all originals and drafts, and includes, but is not limited to, writings, drafts, summaries, letters, emails, contracts, agreements, resolutions, photographs, studies, notes, summaries, memoranda, electronically stored information, calendar entries, minutes of meetings, agendas, bank statements, ledgers, voice-mail messages, videotapes, facsimile transmissions, and other electronic or computerized data compilations stored in any medium. "Record" includes every transmittal or receipt of facts, including transmission by a messaging app such iMessage, WhatsApp, Signal, or any other similar messaging service. "Record" also includes websites, blogs, and applications that enable users to create, post, or share



OVERSIGHT
THE DEPARTMENT
OF JUSTICE

content such as Facebook, LinkedIn, X (formerly Twitter), MySpace, Instagram, Google+, Snapchat, Vine, Tumblr, Pinterest, Kik, Reddit, VSCO, YouTube, TikTok, and Meetup.

Any questions about these requests should be directed to Senator Mary Felzkowski, Chairperson of the Special Committee on Oversight of the Department of Justice at Sen. Felzkowki@legis.wisconsin.gov, (608)266-2509.

Chairperson Mary Felzkowski

Enclosure

Cc: Anne Sappenfield, Legislative Council

Sen. Tomczyk, Vice-Chair

Sen. Habush Sinykin, Ranking Member

Sen. Jacque, Member

Sen. Wimberger, Member

Sen. Ratcliff, Member



OVERSIGHT
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Motion 1

As provided under s. 13.45 (7), Stats., the Senate Special Committee on the Oversight of the Department of Justice requests the following information from the Department of Justice (DOJ) to assist the Committee in its investigation of DOJ internal operations and administrative priorities:

1. Any agreements, memoranda of understanding, or other contracts or documents or records between DOJ and the New York University ("NYU") School of Law's State Energy & Environmental Impact Center ("State Impact Center") or any other external organization, advocacy groups, or third-party funding source relating to the exchange or utilization of a legal fellow between January 1, 2019, to the present.
2. Any internal documents, communications, or records, including records of internal meetings, meeting minutes, and emails concerning the decision to contract with the State Impact Center or any other external organization, advocacy groups, or third-party funding source to secure a legal fellow, including any negotiations of any contracts or agreements from January 1, 2019 to the present.
3. Any documents, communications, or records between or among DOJ, the State Impact Center, Bloomberg Philanthropies, or any other external organization, advocacy groups, or third-party funding source from January 1, 2019 to the present regarding: (a) a legal fellow; (b) environmental policy; (c) DOJ's participation in national cases, including litigation and comments on federal rules.
4. Any documents, communications, and records, from January 1, 2019, to the present, submitted or sent to DOJ by Wisconsin for Environmental Justice, Midwest Environmental Advocates, the Center for Climate Integrity, Corporate Accountability, and/or U.S. Climate Alliance (collectively, "the Organizations"), or submitted or sent to the Organizations by DOJ, relating to the State Impact Center or to securing a legal fellow from the State Impact Center. This request includes, but is not limited to, documents, communications, and records to or from the individual members or alumni of the Organizations.
5. Any documents, communications, or records between DOJ and the State Impact Center or any other external organization, advocacy groups, or third-party funding source related to the media or press releases concerning DOJ, Wisconsin, or the State Impact Center from January 1, 2019 to the present.
6. DOJ's applications, supporting materials, and records submitted to the State Impact Center or any other external organization, advocacy groups, or third-party funding source concerning the hiring or utilization of a legal fellow between January 1, 2019 to the present.



7. Any agreements, including volunteer agreements, memoranda of understanding, or other contracts or documents or records, including drafts, amendments, or related correspondence, between DOJ and any State Impact Center fellow, or fellow funded by another external organization, advocacy group, or third-party funding source used by DOJ between January 1, 2019 to the present.
8. Any DOJ or Wisconsin Department of Administration (DOA) position classification, position description, or other record, including a job posting, describing duties for "Special Assistant Attorney General" or used for any legal fellow from the State Impact Center or any other external organization, advocacy groups, or third-party funding source used by DOJ between January 1, 2019 to the present.
9. Any documents, communications, or records demonstrating the amounts paid to or paid on behalf of a legal fellow from the State Impact Center or any other external organization, advocacy groups, or third-party funding source by the state including Zachary Corrigan and Karen Heineman. This request includes but is not limited to, an itemization of the funds from which costs were paid from January 1, 2019 to the present.
10. Any agreements, memoranda of understanding, employment or volunteer contracts, appointment letters, or other documents or records relating to duties, employment, or work status between January 1, 2019 to the present of: Zachary Corrigan, Karen Heineman, and any other State Impact Center legal fellow or a legal fellow funded by another external organization, advocacy group, or third-party funding source used by DOJ.
11. Any documents, communications, or records explaining the decision-making authority of the legal fellow from the State Impact Center or a legal fellow funded by another external organization, advocacy group, or third-party funding source used by DOJ between January 1, 2019 to the present.
12. Records and documents identifying the matters and cases the legal fellow from the State Impact Center or a legal fellow funded by another external organization, advocacy group, or third-party funding source were assigned to from January 1, 2019 to the present. This request is limited to non-privileged documents and records.

RE: draft - privileged & confidential

From: "Gibson, Charlotte J," <gibsoncj@doj.state.wi.us>
To: "Zolik, Nathan J." <zollknj@doj.state.wi.us>
Cc: "Harlow, R. Duane" <harlowrd@doj.state.wi.us>; "Finkelmeyer, Corey F." <finkelmeyerCF@doj.state.wi.us>; "Wilson, Eric J." <wilsonEJ@doj.state.wi.us>; "Viste, Ashley E." <visteaE@doj.state.wi.us>
Date: Fri, 08 Oct 2021 15:46:44 -0500

Great. Thanks.

From: Zolik, Nathan J. <ZolikNJ@doj.state.wi.us>
Sent: Thursday, October 7, 2021 4:12 PM
To: Gibson, Charlotte J. <GibsonCJ@DOJ.STATE.WI.US>
Cc: Harlow, R. Duane <HarlowRD@DOJ.STATE.WI.US>; Finkelmeyer, Corey F. <FinkelmeyerCF@DOJ.STATE.WI.US>; Wilson, Eric J. <WilsonEJ@doj.state.wi.us>; Viste, Ashley E. <visteaE@doj.state.wi.us>
Subject: Re: draft - privileged & confidential

Thanks Charlie.

Attorney Client Privilege

Nate
608.287.4713

On Oct 7, 2021, at 3:48 PM, Gibson, Charlotte J. <GibsonCJ@doj.state.wi.us> wrote:

Thanks for sending. Corey and I will review and send comments tomorrow.

Attorney Client Privilege

From: Zolik, Nathan J. <ZolikNJ@doj.state.wi.us>
Sent: Thursday, October 7, 2021 9:46 AM
To: Harlow, R. Duane <HarlowRD@DOJ.STATE.WI.US>; Gibson, Charlotte J. <GibsonCJ@DOJ.STATE.WI.US>; Finkelmeyer, Corey F. <FinkelmeyerCF@DOJ.STATE.WI.US>
Cc: Wilson, Eric J. <WilsonEJ@doj.state.wi.us>; Viste, Ashley E. <visteaE@doj.state.wi.us>
Subject: Fwd: draft - privileged & confidential

Here's the draft agreement for the NYU fellow. Duane, please review.

Attorney-Client Privilege

One thing that is different with the NYU fellowship vs PRP is that DOJ will lead the recruitment here. NYU can amplify our posting and promotion of the fellowship, but we'll be running the recruitment.

Once we have this assigned in DLS for review, I'll engage BBF and HR, as well.

Eric, Ashley - fyi.

Questions, let me know.
Thank you.

Nate
608.287.4713

Begin forwarded message:

From: Bethany Davis Noll <bethany.davisnoll@nyu.edu>
Date: October 6, 2021 at 12:21:59 PM CDT
To: "Zolik, Nathan J." <ZolikNJ@doj.state.wi.us>
Subject: draft - privileged & confidential

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Hi Nate,

Please see attached. Let me know your thoughts and if you'd like to discuss.

Thanks!
Bethany

Bethany A. Davis Noll
Adjunct Professor and Executive Director
State Energy & Environmental Impact Center
New York University School of Law
Wilf Hall, 139 MacDougal Street, 3rd floor
New York, NY 10012
cell: 646-612-3458
email: bethany.davisnoll@nyu.edu
twitter: @bdavisnoll

DOJ00000401

DRAFT Agreement, redline

From: "Zolik, Nathan J." <zoliknj@doj.state.wi.us>
To: bethany.davisnoll@nyu.edu
Date: Mon, 18 Oct 2021 11:00:49 -0500
Attachments: WI-Secondment Agreement Draft (DRAFT).docx (36.94 kB)

Hi Bethany. Attached is a revised draft, in redline, for review. We struck the indemnification provision because state law prohibits DOJ from agreeing to that. Please let me know of any questions and if we should discuss.

Thank you,



NATE ZOLIK | Senior Counsel
Wisconsin Department of Justice
17 W. Main Street
Madison, WI 53703
(608) 287-4713
zoliknj@doj.state.wi.us

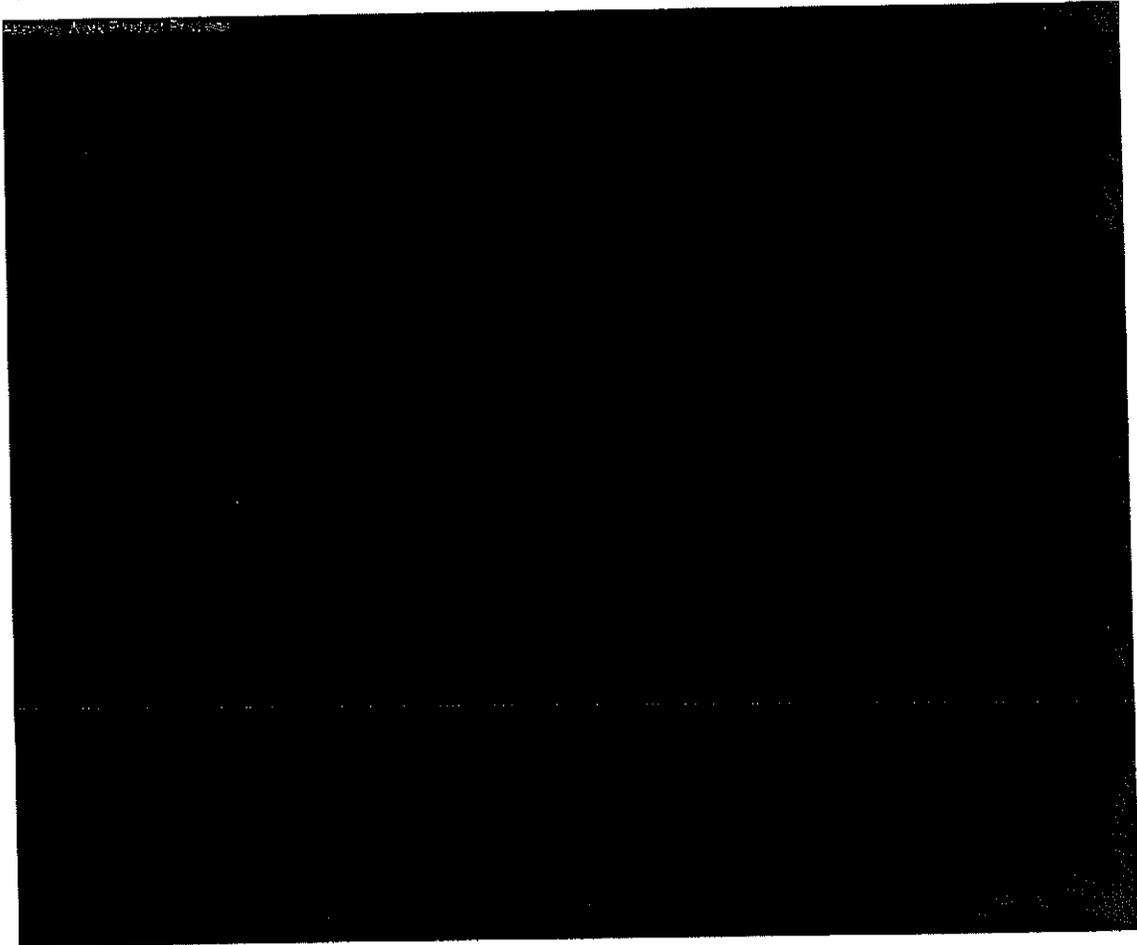
**RE: You're Invited — "Follow the Leaders" — State AGs
Speak About Their Role in U.S. Climate Progress —
Climate Action Week Event April 21**

From: "Johnson-Karp, Gabe" <Johnsonkarp@doj.state.wi.us>
To: "Zolik, Nathan J." <zoliknj@doj.state.wi.us>
Cc: "Vandermeuse, Jennifer L." <vandermeusejl@doj.state.wi.us>
Date: Mon, 19 Apr 2021 15:14:25 -0500

Nate,

Jenny and I put together the following in response to your request below. Happy to discuss further as needed.

Jenny



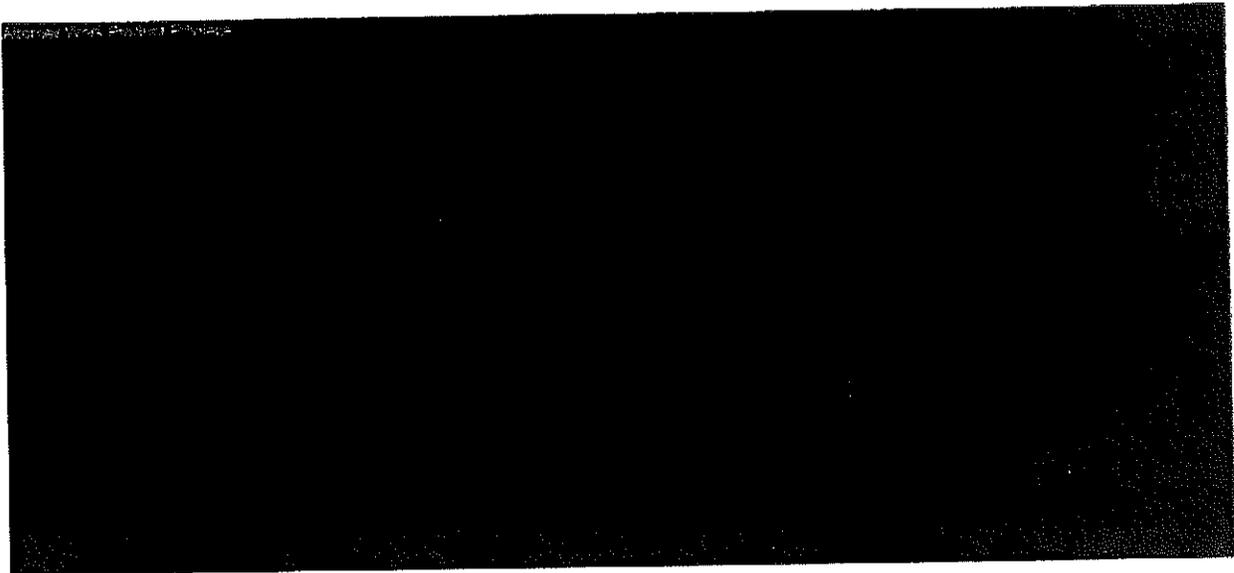
Country Work Product Privilege
[Redacted]

Gabe

Country Work Product Privilege
[Redacted]

Joint suggestions

Country Work Product Privilege
[Redacted]



Gabe and Jenny

From: Zollk, Nathan J. <ZollkNJ@doj.state.wi.us>
Sent: Thursday, April 15, 2021 9:24 AM
To: Motl, Bradley J. <motljb@doj.state.wi.us>; Ertel, Emily M. <ertelem@doj.state.wi.us>; Johnson-Karp, Gabe <johnsonkarp@doj.state.wi.us>; Vandermeuse, Jennifer L. <VandermeuseJL@doj.state.wi.us>; Stroud, Collin R. <StroudCR@doj.state.wi.us>
Cc: Harlow, R. Duane <HarlowRD@DOJ.STATE.WI.US>; Keenan, Brian P. <keenanbp@doj.state.wi.us>
Subject: Fwd: You're Invited — "Follow the Leaders" — State AGs Speak About Their Role in U.S. Climate Progress — Climate Action Week Event April 21

Brad, Emily, Gabe, Jenny, and Colin —

You've all been involved in climate-related matters in one form or another. To the extent any of you have input or background that you think would be helpful for Josh in advance of this panel discussion, please send that to me.

This doesn't need to be anything formal or exhaustive. What I think would be most helpful is: a few examples of climate-related matters our office has worked (or is working) on; some things that other offices or states are doing that perhaps we should focus more closely on; and then any input on how state AG offices may approach working with the federal government on these topics. You can send your thoughts to me individually or as a group, whichever is easiest. (And I understand some of you may be too busy with other pressing matters right now to focus on this - that's ok.). Input by midday Tuesday, April 20, would be great.

Thank you, and please let me know of any questions.

Nate

DOJ00006275

608.287.4713

Begin forwarded message:

From: State Energy & Environmental Impact Center <stateimpactcenter@nyu.edu>
Sent: Tuesday, April 13, 2021 11:27 AM
To: Motl, Bradley J. <motlbi@doj.state.wi.us>
Subject: You're Invited — "Follow the Leaders" — State AGs Speak About Their Role in U.S. Climate Progress — Climate Action Week Event April 21

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Follow the Leaders:

The State AG Role in Supporting
U.S. Climate Progress



Please join the State Impact Center and state AGs on Wednesday, April 21
from 1:00pm - 2:00pm ET for a conversation about the vital role that states and AGs play
in the U.S. response to the climate crisis.

Connecticut Attorney General William Tong, Maryland Attorney General Brian Frosh, Minnesota Attorney General Keith Ellison, New York Attorney General Letitia James and Wisconsin Attorney General Josh Kaul will discuss their work defending their states' policies to cut greenhouse gas emissions, as well as the public health and economic benefits of those policies. The AGs will also explore how the federal government can and should affirmatively support state-level climate policies and programs.

DOJ00006276

REGISTER HERE

The event is part of U.S. Climate Action Week 2021, and will take place in advance of the United States' announcement of its new Nationally Determined Contribution (NDC) under the Paris Agreement. The conversation will also build upon the Center's new report, Follow the Leaders: States Set Path to Accelerate U.S. Climate Progress.

Confirmed Speakers

- **Connecticut Attorney General William Tong**
- **Maryland Attorney General Brian Frosh**
- **Minnesota Attorney General Keith Ellison**
- **New York Attorney General Letitia James**
- **Wisconsin Attorney General Josh Kaul**

Please register [here](#). Registration is required. A confirmation email will include a link to join the event on April 21. Please feel free to forward this invitation!

Please contact sydney.colopy@nyu.edu if you need technical support during the event.

We encourage you to submit questions in advance to sydney.colopy@nyu.edu. We will also take questions during the event using the Q&A feature.



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MacDougal St., 3rd Fl., New York, NY 10012 USA

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RE: travel reimbursement : AP Follow up

From: "Mott, Bradley J." <bradley.mott@wisdoj.gov>
To: "Grzebielski, Kevin L." <kevin.grzebielski@wisdoj.gov>
Date: Fri, 20 Jun 2025 22:37:53 -0500

Thank you, Kevin!



BRADLEY J. MOTL | Assistant Attorney General
Wisconsin Department of Justice
Public Protection Unit
P.O. Box 7857
Madison, WI 53707-7857
bradley.mott@wisdoj.gov
Phone: (608) 267-0505

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From: Grzebielski, Kevin L. <Kevin.Grzebielski@wisdoj.gov>
Sent: Friday, June 20, 2025 4:32 PM
To: Mott, Bradley J. <Bradley.Mott@wisdoj.gov>
Subject: RE: travel reimbursement : AP Follow up

I think we got it worked out. Fingers crossed.

From: Mott, Bradley J. <Bradley.Mott@wisdoj.gov>
Sent: Friday, June 20, 2025 1:05 PM
To: Grzebielski, Kevin L. <Kevin.Grzebielski@wisdoj.gov>
Subject: FW: travel reimbursement : AP Follow up

Hi Kevin,
So obviously Karen is very upset about this. Would you be able to call Karen later today or early next week and talk through this? I don't quite understand her concern. As long as she is getting paid, why does it matter what the mechanism is? Maybe I am missing something. Her number is [REDACTED]
Thanks,
Brad



BRADLEY J. MOTL | Assistant Attorney General
Wisconsin Department of Justice
Public Protection Unit
P.O. Box 7857
Madison, WI 53707-7857
bradley.motl@wisdoj.gov
Phone: (608) 267-0505

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From: Heineman, Karen M. <Karen.Heineman@wisdoj.gov>
Sent: Friday, June 20, 2025 10:08 AM
To: Motl, Bradley J. <Bradley.Motl@wisdoj.gov>; Grzebielski, Kevin L. <Kevin.Grzebielski@wisdoj.gov>
Subject: RE: travel reimbursement : AP Follow up

NO. I am not registering as a supplier and making up documents that don't exist to do so. I am going to be eating these expenses and I am pissed.

I just don't want you guys to have to read between the lines. So I am clear.

From: Motl, Bradley J. <Bradley.Motl@wisdoj.gov>
Sent: Friday, June 20, 2025 9:58 AM
To: Heineman, Karen M. <Karen.Heineman@wisdoj.gov>; Grzebielski, Kevin L. <Kevin.Grzebielski@wisdoj.gov>
Subject: RE: travel reimbursement : AP Follow up

Hi Karen,
I understand your frustrations and agree we should talk through this with Finance for future travel (this shouldn't be difficult). Is everything taken care of for you to get reimbursed for gas, mileage, and meals for your travel at issue here?
Thanks,
Brad



BRADLEY J. MOTL | Assistant Attorney General
Wisconsin Department of Justice
Public Protection Unit
P.O. Box 7857
Madison, WI 53707-7857
bradley.motl@wisdoj.gov
Phone: (608) 267-0505

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intended recipient, please contact the sender so that confidentiality may be maintained. Thank you.

From: Heineman, Karen M. <Karen.Heineman@wisdoj.gov>
Sent: Friday, June 20, 2025 9:46 AM
To: Grzebielski, Kevin L. <Kevin.Grzebielski@wisdoj.gov>
Cc: Motl, Bradley J. <Bradley.Motl@wisdoj.gov>
Subject: FW: travel reimbursement : AP Follow up

This isn't right. My travel reimbursement makes me a supplier but not so for a board member?

So I—and any future NYU fellow—will have to register as a supplier to be reimbursed? I did not supply the gas, I used it. To do my job. For which I have an employee ID but am not an employee because someone else pays my salary. I'm not going to make up documents.

This is a crock.

I'm not supposed to take a car overnight—and now I wonder how I would ever be allowed to take a state car because I'm assuming suppliers can't—but I also can't get reimbursed for use of my own car.

DOJ needs to figure out a better way to handle this.

EP will need to figure out how to handle any potential travel for my cases in the future.

Not happy.

From: DOJ - Accounts Payable <dojacctspayable@doj.state.wi.us>
Sent: Friday, June 20, 2025 9:07 AM
To: Heise, Derrek P. <HeiseDP@doj.state.wi.us>; Henry, Carolyn J. <Carly.Henry@wisdoj.gov>
Cc: Derer, Barbara A. <Barb.Derer@wisdoj.gov>; Heineman, Karen M. <Karen.Heineman@wisdoj.gov>; Rossman, Lisa K. <Lisa.Rossman@wisdoj.gov>; Grzebielski, Kevin L. <Kevin.Grzebielski@wisdoj.gov>; Sharma, Swati <SharmaS1@doj.state.wi.us>; Martin, Angela M. <MartinAM@doj.state.wi.us>; DOJ - Accounts Payable <dojacctspayable@doj.state.wi.us>
Subject: RE: travel reimbursement : AP Follow up

Thank you, Derrek. Account payable (AP) sent several emails to Carolyn yesterday (6/19) regarding the reimbursement, supplier information, and JusticeNet links. Refer to attached items.

When the Department has all the proper data in place and receives approved invoices then AP will process the payments. Feel free to contact me for further questions or concerns. <https://justicenet.wisdoj.gov/accounts-payable-suppliers-w-9s>

Thank you for your time.
Jennifer West
Accounts Payable Team
State of Wisconsin Department of Justice
Bureau of Budget & Finance
17 W Main Street
PO Box 7857
Madison, WI 53707-7857

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From: Heise, Derrek P. <HeiseDP@doj.state.wi.us>

Sent: Friday, June 20, 2025 6:25 AM

To: Henry, Carolyn J. <Carly.Henry@wisdoj.gov>; DOJ - Accounts Payable <dojacctspayable@doj.state.wi.us>

Cc: Derer, Barbara A. <Barb.Derer@wisdoj.gov>; Heineman, Karen M. <Karen.Heineman@wisdoj.gov>;

Rossman, Lisa K. <Lisa.Rossman@wisdoj.gov>; Grzebielski, Kevin L. <Kevin.Grzebielski@wisdoj.gov>

Subject: RE: travel reimbursement

Carolyn,

I will defer to Jennifer. In general, I only deal with employee reimbursement. She deals with these things daily.

I just referred Kevin to the website. I know DOA has specific set of rules for suppliers that we have to follow.

Derrek

Derrek Heise | Accountant - Senior
State of Wisconsin Department of Justice
Bureau of Budget and Finance
17 West Main Street
Madison, WI 53703
heisedp@doj.state.wi.us

From: Henry, Carolyn J. <Carly.Henry@wisdoj.gov>

Sent: Thursday, June 19, 2025 6:05 PM

To: Heise, Derrek P. <HeiseDP@doj.state.wi.us>; DOJ - Accounts Payable <dojacctspayable@doj.state.wi.us>

Cc: Derer, Barbara A. <Barb.Derer@wisdoj.gov>; Heineman, Karen M. <Karen.Heineman@wisdoj.gov>;

Rossman, Lisa K. <Lisa.Rossman@wisdoj.gov>; Grzebielski, Kevin L. <Kevin.Grzebielski@wisdoj.gov>

Subject: RE: travel reimbursement

Hi Derek,

Karen Heineman is a non-state employee, working through a fellowship. She needs some travel expenses to be reimbursed. You told me originally that we needed to file the two forms that are attached, and the W-9. Someone will bring the W-9 to you or Jennifer West on Monday. Karen didn't want it to go through email since it has her SSN on it.

The attached forms also say that we just need these forms and the W-9 for new employees.

Kevin G. asked someone about this. I'm not sure who he asked, but he also received the same answer.

Jennifer West said that we need to do a lot more paperwork, including an invoice and a copy of a canceled check. Can you please clarify if that is true? Carly

From: Derer, Barbara A. <Barb.Derer@wisdoj.gov>

Sent: Thursday, June 19, 2025 5:01 PM

To: Heineman, Karen M. <Karen.Heineman@wisdoj.gov>; Henry, Carolyn J. <Carly.Henry@wisdoj.gov>

Rossman, Lisa K. <Lisa.Rossman@wisdoj.gov>
Subject: RE: travel reimbursement
Importance: High

Good morning,

I will figure out who this needs to go to in Fiscal.
[@Henry, Carolyn J.](#) please provide me with the travel information. I want to provide them with all the information we have to reduce the number of emails back and forth.

If I get a response from them today and am provided with the travel information [@Rossman, Lisa K.](#) could you take it up to fiscal for me? If not, I can take it all up Monday morning when I am back in the office.

Thanks,



BARBARA DERER | Paralegal
State of Wisconsin Department of Justice
Division of Legal Services/Public Protection Unit
17 West Main Street
Madison, WI 53703
barb.derer@wisdoj.gov
Phone: (608) 267-2162

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From: Heineman, Karen M. <Karen.Heineman@wisdoj.gov>
Sent: Wednesday, June 18, 2025 5:38 PM
To: Derer, Barbara A. <Barb.Derer@wisdoj.gov>; Henry, Carolyn J. <Carly.Henry@wisdoj.gov>
Subject: travel reimbursement

I filled out a W-9 and put it in a sealed envelope. It is on Barb's desk by scanner. Can one of you please get it to whomever needs it so I can get reimbursed for my travel expenses.

Carly has the travel information, but I know will be remote.

I am not an employee and don't have the name of who the W-9 needs to go to for nonemployee reimbursement.

I am out of office until June 30. I am remote the next two days but taking vacation next week. I know forms need to be submitted by end of June.

I am reachable. Just would prefer to not have to come in if I don't have to.

Thank you in advance.

KAREN M. HEINEMAN
Special Assistant Attorney General

Public Protection Unit
Wisconsin Department of Justice
Phone: (608) 264-8336
karen.baird-mead@wisdoj.gov

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Scheduling Bi-Monthly Check-ins w/ Bethany

From: Kelly Peaks <kp3739@nyu.edu>
To: "Mott, Bradley J." <mottbj@doj.state.wi.us>
Date: Mon, 09 Sep 2024 08:40:35 -0500

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Hi Brad,

My name is Kelly and I'm the Fellowship Coordinator with the State Impact Center. I am reaching out to work on scheduling bi-monthly check-ins with Bethany. I believe, your last check-in was in July, so that means you're both due for one this month. What are some times that would work best for you in the coming weeks? And, maybe, we can keep that day for the bi-monthly check-ins. We can always reschedule as needed, so it doesn't have to be set in stone. It'll just be helpful to have something on the books.

Let me know if you have any questions. Have a great day!

 Kelly Peaks (she/her)
Fellowship Coordinator
State Energy & Environmental Impact Center NYU School of Law
kelly.peaks@nyu.edu
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I. Karen Heineman Civil Defense Cases

Case Name	Description
Andrew Herold, et al. v. DNR, Case No. 21-CV-0022 (Trempealeau Cnty.)	Andrew Herold and Kim Reedy challenged a decision by an ALJ denying their after-the-fact wetland permit application.
Sauk Prairie Conservation Alliance v. DNR, Case Nos. 16-CV-0642, 16-CV-0662, 17-CV-0020, 17-CV-0052, 19-CV-0516 (Sauk Cnty.)	Sauk Prairie Conservation Alliance challenged the adequacy of DNR's Environmental Impact Statement concerning Sauk Prairie State Recreation Area Draft Master Plan.
Phantom Lakes Management District v. DNR, Case No. 23-CV-1333 (Waukesha Cnty.)	Phantom Lakes Management District petitioned the Circuit Court for Waukesha County for review of a determination by DNR granting a conditional permit for the manual removal and mechanical control of aquatic plants at Upper and Lower Phantom Lakes in Waukesha County.
Rosendale Dairy, LLC v. DNR, Case No. 23-CV-0876 (Outagamie Cnty.)	Rosendale Dairy petitioned the Circuit Court for Outagamie County for review of a decision by DNR to reissue the Wisconsin Pollutant Discharge Elimination System (WPDES) Permit for Rosendal's facility located in the Down of Rosendale, Fond du Lac County, with additional groundwater monitoring requirements.
Mustang Properties, LLC v. DNR, Case No. 24-CV-0075 (Oconto Cnty.)	Mustang Properties petitioned the Circuit Court for Oconto County to review a decision by DNR to deny an artificial wetland exemption request to DNR for a portion of its property. An artificial wetland exemption determination allows a wetland to be filled without acquiring a permit.
North & South Twin Lakes Protection and Rehabilitation District v. DNR, Case No. 24-CV-0076 (Vilas Cnty.)	The North and South Twin Lakes Protection and Rehabilitation District challenged DNR's decision to deny a Scientific Research License application to a scientist to study swimmer's itch in Vilas County.
1989 Holdings, LLC v. DNR, Case No. 24-CV-1279 (Waukesha Cnty.)	1989 Holdings, LLC, challenged DNR's denial of an application to build a private marina on a parcel of residential property on Pewaukee Lake in Waukesha County.

<p>Steven Bowar, et al. v. DNR, Case No. 24-CV-3112 (Dane Cnty.)</p>	<p>Steven Bowar and Dried Up Drainage, LLC challenged DNR's denial of a wetland permit exemption request, which asked the DNR to confirm that the proposed subsurface drainage installation and maintenance was a normal farming activity exempt from wetland permit requirements.</p>
<p>Phantom Lakes Management District v. DNR, Case No. 24-CV-1834 (Waukesha Cnty.)</p>	<p>Phantom Lakes Management District challenged the decision by DNR denying the district's request for a contested hearing relative to DNR's granting of a conditional permit for the manual removal and mechanical control of aquatic plants at Upper and Lower Phantom Lakes, Waukesha County.</p>
<p>Grant Russell McDonough v. DNR, Case No. 24-CV-0129 (Bayfield Cnty.)</p>	<p>Grant Russell McDonough challenged DNR's decision that he is no longer eligible for the farmer license exemption that allowed him to dispose of septage from his holding tanks on his property.</p>
<p>Lac du Flambeau Band of Lake Superior Chippewa Indians v. DNR, Case No. 25-CV-0022 (Taylor Cnty.)</p>	<p>Lac du Flambeau Band of Lake Superior Chippewa Indians challenged DNR's decision to grant a storm water permit to a mining company for exploratory mining project.</p>
<p>Keith Mustain, et al. v. DNR, Case No. 25-CV-0286 (Winnebago Cnty.)</p>	<p>Keith and Colleen Mustain petitioned the court to review the decision by an ALJ affirming the DNR denial of their after-the-fact individual wetland permit application.</p>
<p>Keith Mustain, et al. v. DNR, Case No. 25-CV-0667 (Winnebago Cnty.)</p>	<p>Keith and Colleen Mustain challenged DNR's denial of a nonfederal wetland permit exemption request which asked DNR to confirm that their land is exempt from certain wetland permit requirements because it qualifies as nonfederal wetland.</p>
<p>Shalom Wildlife Sanctuary, LLC v. DNR, Case No. 25-CV-0634 (Washington County)</p>	<p>Shalom Wildlife Sanctuary challenged DNR's determination that two waterways on its property are navigable waterways.</p>

II. Karen Heineman Enforcement Cases

Case	Description	Outcome	JCF Approval?
State of Wisconsin v. Glenn H. Zimmerman, Case No. 25-CX-0005 (Dane Cnty.)	Glenn Zimmerman is a contractor hired by two different landowners to install drain tile that resulted in discharge of dredged or fill material to wetlands. The State alleged that Defendant violated Wis. Stat. § 281.36 by discharging and maintaining fill material in wetlands on the property without a permit when installing drain tiles.	Ongoing	N/A
State of Wisconsin v. Mark W. Martin, Case No. 25-CX-0002 (Clark Cnty.)	Mark and Maryann Martin own over 20 parcels of real property in Clark County, including approximately 15 acres of high-quality wetlands. The State alleged that the Martins installed drain tiles in the wetlands without a permit.	Ongoing	N/A
State of Wisconsin v. Melvin Weaver, et al., Case No. 22-CX-0002 (Clark Cnty.)	Melvin Weaver and Glenn Zimmerman allegedly violated the law through water quality and wetland filling activities at a property in Clark County.	Case settled for \$5,000	Yes; 12/10/2024

<p><i>State of Wisconsin v. American Express Excavation, LLC, et al., Case No. 23-CX-0001 (Dunn Cnty.)</i></p>	<p>Weiss Family Farms Real Estate runs a CAFO in Dunn County. The State alleged that Weiss Family Farms Real Estate hired American Express Excavation to complete wetland fill activities and that Weiss Family Farms constructed a grassed waterway that discharged material into wetlands.</p>	<p>American Express Excavation settled for \$10,000. The court stayed the deadline for Weiss Family Farms to answer the complaint. Settlement negotiations continue.</p>	<p>Yes; 4/4/2023 (American Express Excavating)</p>
<p><i>State of Wisconsin v. Carmeuse Lime, Inc., Case No. 25-CX-0002 (Manitowoc Cnty.)</i></p>	<p>Carmeuse Lime operates a lime quarry and lime processing facility in Manitowoc County. The State alleged violations of opacity monitoring and emissions testing requirements in its air pollution control permit at its limestone quarry and processing facility.</p>	<p>Case settled for \$20,000</p>	<p>No; judgment occurred after removal of JCF approval requirement</p>
<p><i>State of Wisconsin v. Allied Machinery Richland, LLC, Case No. 25-CX-0003 (Richland Cnty.)</i></p>	<p>Allied Machinery Richland operated a foundry, and the State alleged that it violated its air pollution control permit regarding failure to develop particulate matter (PM) emission factors and for failure to calculate monthly hazardous air pollutant (HAP) emissions.</p>	<p>Case settled for \$50,000</p>	<p>No; judgment occurred after removal of JCF approval requirement</p>
<p><i>State of Wisconsin v. School District of Auburndale, Case No. 25-CX-0002 (Wood Cnty.)</i></p>	<p>The State alleged that the School District of Auburndale had asbestos-related violations that occurred during the 2021 renovation of a portion of their Middle/High School facility in Wood County, Wisconsin.</p>	<p>Case settled for \$40,500</p>	<p>No; judgment occurred after removal of JCF approval requirement</p>

<p><i>State of Wisconsin v. George Hannan, et al.</i>, Case No. 25-CX-0002 (Marinette Cnty.)</p>	<p>George and Dianna Hannan are property owners in Marinette County. The State alleged that the property had four underground storage tanks that are the subject of the alleged UST violations. The State alleged violations for failure to permanently close abandoned USTs and failure to take action to restore the environment after a hazardous substance spill.</p>	<p>Default judgment of \$236,661</p>	<p>N/A</p>
<p><i>State of Wisconsin v. Marvin J. Mueller</i>, Case No. 17-CX-0001 (Manitowoc Cnty.)¹</p>	<p>Marvin Mueller owns and operates Mueller Range Line Dairy in Manitowoc County. The State alleged violations of discharge of manure through a tile line to the Meeme River, a navigable water of the state.</p>	<p>Case settled for \$16,000</p>	<p>Settled prior to JCF approval requirement</p>

III. Zachary Corrigan Civil Defense Cases

Case Name	Description
<p><i>Daniel T. and Julie A. Ariens Trust, et al. v. DNR</i>, Case No. 22-CV-1222 (Brown Cnty.)</p>	<p>Ariens sued DNR regarding DNR's orders to remove fill and structures that were placed on property located on the Bay of Green Bay.</p>
<p><i>B&D Dairy Farm LLC v. DNR</i>, Case No. 21-CV-0114 (Marinette Cnty.)</p>	<p>B&D Dairy Farm petitioned for review of a decision of an Administrative Law Judge affirming DNR's reissuance of a WPDES permit with additional groundwater monitoring requirements for B&D Dairy Farm's operation in Marinette and Oconto County.</p>

¹ Karen Heinerman's involvement was limited to post-settlement monitoring. The case settled before her working at WI DOJ.

<i>County of Dane v. DNR, Case No. 22-CV-1298 (Dane Cnty.)</i>	Dane County petitioned for review a decision of DNR reissuing a WPDES permit to the Dane County Regional Airport for its storm water system with required monitoring for PFAS.
<i>City of Janesville v. DNR, Case No. 22-CV-0615 (Rock Cnty.)</i>	City of Janesville petitioned for review of a decision of DNR's decision on optimal corrosion control treatment for the City.
<i>Jessica McCarthy Trust v. DNR, Case No. 22-CV-0132 (Door Cnty.)</i>	Jessica McCarthy Trust petitioned for review a decision by DNR denying the Trust's application for an individual permit to authorize construction of a pier and breakwater adjacent to the Trust's property.

IV. Zachary Corrigan Enforcement Cases

Case	Description	Outcome	JCF Approval?
<i>State of Wisconsin v. Paul Bugar Trucking, Inc., Case No. 23-CX-0003 (Clark Cnty.)</i>	Paul Bugar Trucking is a road construction and supplier of materials such as sand and gravel that owns and operates a 19-acre mining site. The State alleged violations of stormwater management laws at non-metallic mining site.	Case settled for \$100,000	Yes; 10/18/2023
<i>State of Wisconsin v. ChemDesign Products, Inc., Case No. 23-CX-0003 (Marinette Cnty.)</i>	ChemDesign operates a chemical processing facility in Marinette. The company has an Air Pollution Control Operation Permit. The State alleged that the company exceeded its discharge limits, failed to report actual emissions, and failed to keep accurate records.	Case settled for \$150,000	Yes; 10/18/2023

<p>State of Wisconsin v. Didion Milling, Inc., et al., Case No. 22-CX-0002 (Columbia Cnty.)</p>	<p>Didion Milling owns and operates a corn milling facility in Cambria, Columbia County. Didion Ethanol owns and operates an ethanol production facility across the road from the milling facility. The State alleged that the defendants violated numerous laws, including provisions in their emission control permit.</p>	<p>Case settled for \$940,000, comprised of \$752,000 against Didion Ethanol, and \$188,000 against Didion Milling.</p>	<p>Yes; 9/13/2023</p>
<p>State of Wisconsin v. Donaldson's One Hour Cleaners, Inc., et al., Case No. 24-CX-0002 (Winnebago Cnty.)</p>	<p>Donaldson's One Hour Cleaners is a dissolved business that ran a dry-cleaning facility. The State alleges that the company contaminated water with chlorinated solvents from a Neenah business site and failed to investigate and remediate the spill.</p>	<p>Ongoing</p>	<p>N/A</p>
<p>State of Wisconsin v. Donaldson's One Hour Cleaners, Inc., et al., Case No. 24-CX-0002 (Outagamie Cnty.)</p>	<p>The State alleges that Donaldson's One Hour Cleaners discharged chlorinated solvents at a site in Appleton and has not taken any investigative or remedial actions.</p>	<p>Ongoing</p>	<p>N/A</p>
<p>State of Wisconsin v. Gerke Excavating, Inc., Case No. 23-CX-0002 (Monroe Cnty.)</p>	<p>Gerke Excavating, Inc. (Gerke) is a family-owned excavating, site grading, gravel crushing and trucking firm. The State alleged that Gerke Excavating violated solid waste, wetland protection, stormwater laws and regulations, stormwater discharge permits, and stormwater pollution prevention plans. The State filed two civil complaints: one for solid waste violations, and a second for stormwater violations.</p>	<p>Case settled for \$20,000</p>	<p>Yes; 2/15/2023</p>
<p>State of Wisconsin v. Gerke Excavating, Inc., Case No. 23-CX-0001 (Monroe Cnty.)</p>	<p>Gerke Excavating, Inc. (Gerke) is a family-owned excavating, site grading, gravel crushing and trucking firm. The State alleged that Gerke Excavating violated solid waste, wetland protection, stormwater laws and regulations, stormwater discharge permits, and stormwater pollution prevention plans. The State filed two civil complaints: one for solid waste violations, and a second for stormwater violations.</p>	<p>Case settled for \$20,000</p>	<p>Yes; 2/15/2023</p>

<p>State of Wisconsin v. Gunderson Lutheran Services, Inc., Case No. 24-CX-0002 (La Crosse Cnty.)</p>	<p>Enforcement action for alleged violations of an air permit, including failure to maintain continuous opacity monitoring system, conduct a particulate-matter emissions tests, and exceedances of opacity and carbon monoxide limits.</p>	<p>Case settled for \$160,000</p>	<p>Yes; 9/26/2024</p>
<p>State of Wisconsin v. North Side Genetics, Case No. 23-CX-0003 (Grant Cnty.)</p>	<p>North Side Genetics owns and operates a CAFO in Grant County. The State alleged that DNR inspections revealed that the facility had an insufficient runoff control system for its feed storage area and that North Side Genetics violated its WPDES permit.</p>	<p>Case settled for \$17,500</p>	<p>Yes; 9/13/2023</p>