



## 1997 ASSEMBLY BILL 244

April 3, 1997 - Introduced by Representatives MUSSER and GRONEMUS, cosponsored by Senator MOEN. Referred to Joint committee on Finance.

1 **AN ACT relating to:** the expenditure of \$61,711.66 from the general fund for  
2 payment of a claim against the state made by Jackson County.

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### *Analysis by the Legislative Reference Bureau*

This bill directs expenditure of \$61,711.66 from the general fund in payment of a claim made by Jackson County against the office of the state treasurer. Under s. 59.20 (8), 1983 stats., each county treasurer is directed to retain 50% of the amounts received by the treasurer for forfeitures, fines and penalties under chs. 341 to 347, 349 and 351 (motor vehicle and traffic laws) and to pay the remainder to the state treasurer for deposit in the state treasury. During the period from January 1, 1986, through December 31, 1992, the Jackson County clerk of courts mistakenly forwarded to the state 90% of the amounts that the county received from forfeitures, fines and penalties under chs. 341 to 347, 349 and 351, stats., instead of 50% as provided by law. The county claimed \$61,711.66, representing the difference between the amount that it should have paid to the state treasurer and the amount that it actually paid. On February 28, 1995, the claims board recommended denial of this claim. See 1995 *Senate Journal*, p. 129.

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

3 **SECTION 1. Claim against the state.** There is directed to be expended from  
4 the appropriation under section 20.505 (4) (d) of the statutes, as affected by the acts

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1 of 1997, \$61,711.66 in payment of a claim against the state made by Jackson County  
2 to reimburse the county for 40% of the amounts that the county received as  
3 forfeitures, fines and penalties under chapters 341 to 347, 349 and 351 of the statutes  
4 during the period from January 1, 1986, to December 31, 1992, which amounts were  
5 incorrectly paid by the county to the state although the amounts were not payable  
6 under section 59.20 (8), 1983 stats. Acceptance of the payment releases this state,  
7 its officers, employes and agents from any further liability resulting from this  
8 overpayment.

9 (END)