



Legislative Fiscal Bureau

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January 29, 2008

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Senate Bill 402: Claim for Legal Services Costs of Georgia Thompson

Yesterday, you received a copy of this office's summary of 2007 Senate Bill 402 (SB 402). Department of Administration attorneys indicate that the intention of the language of SB 402 is to "indemnify Ms. Thompson by paying the legal costs necessary for her defense." The bill does not insure the repayment of costs already paid by Ms. Thompson to Hurley, Burish and Stanton, S.C. of Madison, nor does it require the firm to make a refund of costs already paid by her, rather it requires the state to bear the financial burden of paying \$228,792.62 for the defense of a state employee who was acting within the scope of her employment. To be clearly consistent with the language of the bill, the first paragraph of the Legislative Fiscal Bureau summary on page 2 would read:

SUMMARY OF BILL

Senate Bill 402 requires the state to make a payment of \$228,792.62 to Hurley, Burish, and Stanton S.C. of Madison from DOA's procurement services appropriation [s. 20.505(1)(kf) of the statutes]. The bill would specify that this payment is made to "indemnify Department of Administration employee Georgia Thompson, Madison, Wisconsin, for costs of defending her in a criminal action that was filed against her for acts performed during the course of and within the scope of her employment."

DR/mb