



## 2007 ASSEMBLY BILL 486

August 14, 2007 - Introduced by Representatives STONE, LEMAHIEU, ALBERS, HAHN, TOWNSEND and PETROWSKI, cosponsored by Senators DECKER and GROTHMAN, by request of State of Wisconsin Claims Board. Referred to Joint Committee on Finance.

1     **AN ACT relating to:** expenditure of \$10,317.93 from moneys appropriated to the  
2             Department of Natural Resources in payment of a claim against the state made  
3             by the Klemme Brothers Well Drilling, Inc.

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### *Analysis by the Legislative Reference Bureau*

This bill directs expenditure of \$10,317.93 from moneys appropriated to the Department of Natural Resources (DNR) for the current fiscal biennium for ground, surface, and drinking water protection and sewage and water pollution discharge control in payment of a claim against DNR made by Klemme Brothers Well Drilling, Inc. The claimant contracted to install two wells in the town of Jackson (Washington County) in 2004. The claimant asserted that an employee of DNR advised it that special casing was not required in the area where the wells were to be installed, and the wells were constructed without the casing. After the wells tested as unclean, DNR required abandonment of the wells and the claimant was required to replace the wells with new wells using special casing. The claimant claimed \$17,405.00 for the cost of replacing the abandoned wells. DNR maintains that the claimant discussed various well locations with its employee and the legal description of the property provided by the claimant was incorrect and may have contributed to the erroneous information that led to construction of the abandoned wells. On June 11, 2007, the claims board recommended payment of this claim in the reduced amount of \$10,317.93, representing the cost of drilling the original wells (see *Senate Journal*, p. 259).

**ASSEMBLY BILL 486**

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1. Claim against the state.** There is directed to be expended from  
2 the appropriation under section 20.370 (4) (mq) of the statutes, as affected by the acts  
3 of 2005 and 2007, \$10,317.93 in payment of a claim against the state made by  
4 Klemme Brothers Well Drilling, Inc., Kewaskum, Wisconsin, as reimbursement for  
5 the cost of drilling 2 wells in the town of Jackson, Washington County, that the  
6 department of natural resources required to be abandoned because the wells were  
7 constructed improperly, possibly as a result of incorrect information provided by the  
8 department. Acceptance of this payment releases this state and its officers,  
9 employees, and agents from any further liability resulting from the failure to  
10 construct these wells in an appropriate manner.

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(END)