



1995 ASSEMBLY BILL 363

May 10, 1995 – Introduced by Representatives MORRIS-TATUM, WILLIAMS, L. YOUNG and RILEY, cosponsored by Senators MOORE and GEORGE. Referred to Joint committee on Finance.

1 **AN ACT relating to:** the expenditure of \$125,000 from the general fund for
2 payment of a claim against the state made by Robert L. Borum.

Analysis by the Legislative Reference Bureau

This bill directs expenditure of \$125,000 from the general fund in payment of a claim made by Robert L. Borum against the former state industrial commission for compensation for permanent disability suffered as the result of an industrial accident which occurred on March 31, 1955, at the American Motors plant in Kenosha. The commission found that the claimant suffered only temporary disability, but the claimant asserts that there was insufficient evidence of the true nature of his injury at the time his claim was heard in 1955. The claimant claimed \$200,000. This claim was originally recommended for denial by the claims board on July 31, 1974 (see 1975 *Senate Journal*, p. 69). However, on reconsideration the board recommended approval of the claim on April 30, 1985, in the reduced amount of \$25,000 based on equitable principles (see 1985 *Senate Journal*, p. 172).

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

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 the
4 appropriation under section 20.505 (4) (d) of the statutes, as affected by the acts of
5 1993 and 1995, \$125,000 in payment of a claim against the state made by Robert L.
6 Borum, Milwaukee, Wisconsin, to compensate him for permanent partial disability
7 and suffering. His disability results from an industrial accident which occurred in

1 Kenosha on March 31, 1955, and has not been recompensed due to the state
2 industrial commission's November 30, 1955, denial of his claim of permanent
3 injuries, and the operation of chapter 102 of the statutes which limits the claimant
4 to a single cause of action. Acceptance of this payment releases this state and its
5 officers, employes and agents from any further claim by Mr. Borum arising out of his
6 injury and the consideration thereof by the industrial commission.

7 (END)