1999 DRAFTING REQUEST

Bill

Received: **09/14/1999**

Received By: **kuesejt**

Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **her**

This file may be shown to any legislator: NO

Drafter: **nelsorpl**

May Contact:

Alt. Drafters: **kuesejt**

Subject: **State Finance - claims agnst st**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Limitation on approval of claims by claims board

Instructions:

See Attached.

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
I?	kuesej t 10/27/1999	wjackson 10/28/1999		_____ _____			
/1			kfollet 10/28/1999	_____ _____	lrb-docadmin 10/28/1999		
/2	kuesej t 1 l/02/1999	chanaman 1 l/02/1999	mclark 1 l/02/1999	_____ _____	lrb-docadmin 1 l/02/1999		S&L
/3	kuesej t 1 l/05/1999	jgeller 1 l/05/1999	martykr 1 l/05/1999	_____ _____	lrb_docadmin 11/05/1999		S&L

Vers.	Drafted	Reviewed	Typed	hoofed	Submitted	Jacketed	Required
/4	nelsorp1 11/12/1999	jgeller 11/12/1999	martykr 11/12/1999	_____ _____	lrb_docadmin 11/12/1999	lrb_docadmin 11/15/1999	

FE Sent For:

<END>

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13	kuesej t 1 l/05/1999	j geller 11/05/1999	martykr 1 l/OS/l 999	_____ _____	lrb-docadmin 1 l/05/1999		S&L

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/4	nelsorp 1 1 l/12/1999	jgeller 1 l/12/1999	martykr 1 l/12/1999	_____ _____	lrb_docadmin 1 l/12/1999		

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Extra Copies:

Pre Topic:

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/3	kuesej t 1 l/05/1999	jgeller 1 l/05/1999	martykr 1 l/05/1999	_____ _____	lrb-docadmin 1 l/05/1999		

/4 11/12 jcg tm 11/12 28 tm 11/12

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

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Wanted: **As time permits**

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By/Representing: **her**

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May Contact:

Alt. Drafters:

Subject: **State Finance - claims agnst st**

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Limitation on approval of claims by claims board

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/?	kuesej t 10/27/1999	wjackson 10/28/1999		_____ _____			
/1			kfollet 10/28/1999	_____ _____	lrb-docadmin 10/28/1999		
/2	kuesejt 11/02/1999	chanaman 11/02/1999	mclark 11/02/1999	_____ _____	lrb-docadmin 11/02/1999		
/3	kuesejt 11/5	/3 11/4 jlg	km 11/5	jf km 11/5			

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: **09/14/1999**

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Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **her**

This file may be shown to any legislator: NO

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **State Finance - claims agnst st**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Limitation on approval of claims by claims board

Instructions:

See Attached.

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	kuesej t 10/27/1999	wjackson 10/28/1999		_____ _____			
/1 /2	kuesejt 11/2	wlj 11/2 /2	kfollet 10/28/1999 mrc 11/2	_____ _____ mrc/km 11/2	lrb_docadmin 10/28/1999		

FE Sent For:

<END>

LRB-3614

1999 DRAFTING REQUEST

Bill

Received: **09/14/1999**

Received **By: kuesejt**

Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **her**

This file may be shown to any legislator: **NO**

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **State Finance - claims agnst st**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Limitation on approval of claims by claims board

Instructions:

See Attached.

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?/1	kuesejt 10/27	/1 wlj 10/28	kjf 10/28	kjf/mrc 10/28			

FE Sent For:

<END>

Sheryl Albers

To: Legislative Reference Bureau - Bill Drafting
From: Representative Sheryl K. Albers

Date: September 8, 1999
Subject: Claims Board - Raising the Dollar Limit to $8,000

Please draft a piece of legislation which will raise the dollar limit of claims board actions from $5,000 to $8,000.

Thank you.

Office: P.O. Box 8952 . State Capitol . Madison, WI 53708-8952 . (808) 288-8531
Home: S6696 Seeley Creek Road . Loganville, WI 53943 . (608) 727-5084

1999 **Date (time) needed** SOON **LRB** – 3614/1

BILL STR: WLJ:

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] ***to repeal. . . ; to renumber. . . ; to consolidate and renumber. . . ; to renumber and amend. . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ;*** and ***to create . . .*** of the statutes; **relating to:** the maximum dollar amount of claims against the state that may be paid by the claims board without legislative approval.

[**NOTE**: See section ***4.02 (2)*** (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

For the 3 titles used in an analysis, in the component bar:
For the main heading [old **=M], execute: . . . . . create → anal: → title: → head**
For the subheading [old **=S], execute:** . . . . . **create → anal: → title: → sub**
For the sub-subheading [old **=P],** execute: . . . . . **create → anal: → title: → sub-sub**

[see attached on next page]

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

SECTION #.

Currently, the claims board investigates and makes recommendations on all claims in amounts of $10 or more against the state that are referred to the board by the department of administration. With limited exceptions, whenever the board by unanimous vote finds that payment to a claimant of not more than the maximum amount that may be claimed in most actions and proceedings in small claims court is justified, it may order the amount that it finds justified to be paid without approval of the legislature. If the board does not so find unanimously or if the board finds that payment of a higher amount is justified, the board must recommend to the legislature the amount of the payment that the board finds to be justified.

This bill increases the maximum amount of a claim against the state that the claims board may pay by unanimous vote without legislative approval to $8,000.

Section #. 16.007 (6) (a) of the statutes is amended to read:

16.007 (6) (a) Except as provided in par. (b), whenever the claims board by unanimous vote finds that payment to a claimant of not more than ~~the amount specified in s. 799.01 (1)~~ $8,000 is justified, it may order the amount that it finds justified to be paid on its own motion without submission of the claim in bill form to the legislature. The claim shall be paid on a voucher upon the certification of the chairperson and secretary of the board, and shall be charged as provided in sub. (6m).

~~History: 1975 c. 397; 1977 c. 196 s. 130 (3); 1979 c. 34 s. 2102 (1) (c); 1981 c. 20; 1983 a. 368; 1985 a. 29; 1987 a. 27, 142; 1989 a. 31, 303; 1991 a. 269.~~

(End)

State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3614/1
JTK:wlj:kjf

wanted TUE 11/2

1999 BILL

regen cat

AN ACT to *amend* 16.007 (6) (a) of the statutes; **relating to:** the maximum dollar amount of claims against the state that may be paid by the claims board without legislative approval.

Analysis by the Legislative Reference Bureau

(currently $5,000)

Currently, the claims board investigates and makes recommendations on all claims in amounts of $10 or more against the state that are referred to the board by the department of administration. With limited exceptions, whenever the board by unanimous vote finds that payment to a claimant of not more than the maximum amount that may be claimed in most actions and proceedings in small claims court is justified, it may order the amount that it finds justified to be paid without approval of the legislature. If the board does not so find unanimously or if the board finds that payment of a higher amount is justified, the board must recommend to the legislature the amount of the payment that the board finds to be justified.

This bill increases the maximum amount of a claim against the state that the claims board may pay by unanimous vote without legislative approval to $8,000.

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

SECTION 1. 16.007 (6) (a) of the statutes is amended to read:

16.007 (6) (a) Except as provided in par. (b), whenever the claims board by unanimous vote finds that payment to a claimant of not more than ~~the amount specified in s. 799.01 (1)~~ $8.000 is justified, it may order the amount that it finds justified to,be paid on its own motion without submission of the claim in bill form to the legislature. The claim shall be paid on a voucher upon the certification of the chairperson and secretary of the board, and shall be charged as provided in sub. (6m).

(END)

- SUBMITTAL FORM

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

JTK

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 1 l/02/1999

To: Representative Albers

Relating to LRB drafting number: LRB-3614

Topic
Limitation on approval of claims by claims board

Subject(s)
State Finance - claims agnst st

1. **JACKET** the draft for introduction _____

   in the **Senate** or **the Assembly** ____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached See memo and attachments

   A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW,** prior to introduction _____.

   If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Jeffery T. Kuesel, Managing Attorney
Telephone: (608) 266-6778

Sheryl Albers

To: Legislative Reference Bureau
From: State Representative Sheryl K. Albers

Date: November 3, 1999
Subject: Dollar Limit on Claims Board Actions
Reference: LRB 36 14/2
1999 Senate Bill 240

I have decided to change LRB 3614/2, my claims board legislation, from raising the dollar limit on claims board actions to raising the dollar limits for small claims actions. I do this because, under current law, the small claims actions dollar limit applies to most actions of the claims board. I want to ensure continuity in the law relating to both small claims court and the claims board.

For reference, I've included 1999 SB 240, which relates to raising the dollar limit for small claims actions. I reference this for purposes of form, not for the dollar amounts listed in the bill. I want to keep the $8,000 limit currently in LRB 3614/2. For your convenience, I've attached a copy of both LRB 3614/2 and SB 240.

If you have any questions, please contact my office at 266-853 1. Thank you.

Office: P.O. Box 8952 . State Capitol . Madison, WI 53708-8952 . (608) 266-8531
Home: S6896 Seeley Creek Road . Loganville, WI 53943 . (606) 727-5084

State of Wisconsin
1999 – 2000 LEGISLATURE

LRB–3614/2
JTK:wlj:mrc

1999 BILL

AN ACT to ***amend*** 16.007 (6) (a) of the statutes; **relating to:** the maximum dollar amount of claims against the state that may be paid by the claims board without legislative approval.

Analysis by the Legislative Reference Bureau

Currently, the claims board investigates and makes recommendations on all claims in amounts of $10 or more against the state that are referred to the board by the department of administration. With limited exceptions, whenever the board by unanimous vote finds that payment to a claimant of not more than the maximum amount that may be claimed in most actions and proceedings in small claims court (currently $5,000) is justified, it may order the amount that it finds justified to be paid without approval of the legislature. If the board does not so find unanimously or if the board finds that payment of a higher amount is justified, the board must recommend to the legislature the amount of the payment that the board finds to be justified.

This bill increases the maximum amount of a claim against the state that the claims board may pay by unanimous vote without legislative approval to $8,000.

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

SECTION 1. 16.007 (6) (a) of the statutes is amended to read:

16.007 (6) (a) Except as provided in par. (b), whenever the claims board by unanimous vote finds that payment to a claimant of not more than ~~the amount specified in s. 799.01 (1)~~ $8,000 is justified, it may order the amount that it finds justified to be paid on its own motion without submission of the claim in bill form to the legislature. The claim shall be paid on a voucher upon the certification of the chairperson and secretary of the board, and shall be charged as provided in sub. (6m).

(END)

Wanted Soon

State of Wisconsin
1999 – 2000 LEGISLATURE

-3614/3
LRB-~~3343/1~~
RPN:jlg:km
2 DTK stays

P-Note

1999 SENATE BILL 240

September 28, 1999 – Introduced by Senators BAUMGART and ROSENZWEIG, cosponsored by Representatives GUNDERSON, MUSSER, HASENOHRL and SHERMAN. Referred to Committee on Judiciary and Consumer Affairs.

regen.

AN ACT *to amend* 799.01 (1) (c), 799.01 (1) (d) (intro.) and 799.01 (2); and to *create* 799.01 (1) (e) of the statutes; **relating to:** raising the dollar ~~limit~~ amount for maximum small claims actions. $8,000 and for claims against the state that may be paid by the claims board without legislative approval

---

Analysis by the Legislative Reference Bureau

Under current law, the small claims court procedure, which is much less formal than other circuit court procedures, is limited to certain types of actions, such as evictions, and to actions in which the amount in dispute is $5,000 or less. This bill raises that amount to ~~$10,000 on July 1, 2000, to $15,000 on July 1, 2004, and to $20,000 on July 1, 2008~~ the maximum for both purposes.

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

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

INS A

SECTION 1. 799.01 (1) (c) of the statutes is amended to read:

799.01 (1) (c) *Replevins.* Actions for replevin under ss. 810.01 to 810.13 where the value of the property claimed does not exceed ~~$5,000 $10,000. Beginning on July 1, 2004, the maximum value of the property claimed may not exceed $15,000.~~

~~Beginning on July 1, 2008, the maximum value of the property claimed may not exceed $20,000.~~ $8,000

SECTION 2. 799.01 (1) (d) (intro.) of the statutes is amended to read:

799.01 (1) (d) *Other civil actions.* (intro.) Other civil actions where the amount claimed is ~~$5,000~~ ~~$10,000~~ $8,000 or less, if the actions or proceedings are:

~~SECTION 3. 799.01 (1) (e) of the statutes is created to read:~~

~~799.01 (1) (e) *Other civil actions; increased amount claimed.* Beginning on July 1, 2004, the maximum amount claimed under par. (d) may not exceed $15,000. Beginning on July 1, 2008, the maximum amount claimed under par. (d) may not exceed $20,000.~~

SECTION 4. 799.01 (2) of the statutes is amended to read:

799.01 (2) PERMISSIVE USE OF SMALL CLAIMS PROCEDURE. A taxing authority may use the procedure in this chapter in an action to recover a tax from a person liable for that tax where the amount claimed, including interest and penalties, is ~~$5,000~~ ~~$10,000~~ $8,000 or less. Beginning on July 1, 2004, the maximum amount claimed may not exceed $15,000. Beginning on July 1, 2008, the maximum amount claimed may not exceed $20,000. This chapter is not the exclusive procedure for those actions.

SECTION 5. Initial applicability.

(1) This act first applies to actions commenced on the effective date of this subsection.

SECTION 6. Effective date.

(1) This act takes effect on July 1, 2000.

(END)

State of Wisconsin
1999 – 2000 LEGISLATURE

LRB–3614/2
JTK:wlj:mrc

1999 BILL

Ins A

1 AN ACT *to amend* 16.007 (6) (a) of the statutes; **relating to:** the maximum dollar
2 amount of claims against the state that may be paid by the claims board without
3 legislative approval.

Analysis by the Legislative Reference Bureau

Currently, the claims board investigates and makes recommendations on all claims in amounts of $10 or more against the state that are referred to the board by the department of administration. With limited exceptions, whenever the board by unanimous vote finds that payment to a claimant of not more than the maximum amount that may be claimed in most actions and proceedings in small claims court ~~(currently $5,000)~~ is justified, it may order the amount that it finds justified to be paid without approval of the legislature. If the board does not so find unanimously or if the board finds that payment of a higher amount is justified, the board must recommend to the legislature the amount of the payment that the board finds to be justified.

This bill increases the maximum amount of a claim against the state that the claims board may pay by unanimous vote without legislative approval to $8,000.

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

4 SECTION 1. 16.007 (6) (a) of the statutes is amended to read:

(end ins A)

16.007 (6) (a) Except as provided in par. (b), whenever the claims board by unanimous vote finds that payment to a claimant of not more than ~~the amount specified in s. 799.01(1)~~ $8,000 is justified, it may order the amount that it finds justified to be paid on its own motion without submission of the claim in bill form to the legislature. The claim shall be paid on a voucher upon the certification of the chairperson and secretary of the board, and shall be charged as provided in sub. (6m).

(END)

P-Note

RPN:jlg

Usually we delay the effective date of changes to the small claims jurisdictional amount 2-3 months to give the courts time to prepare for the change. Do you want to do that with this draft?

RPN

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB–3614/3dn
RPN:jlg:km

November 5, 1999

Usually we delay the effective date of changes to the small claims jurisdictional amount 2-3 months, to give the courts time to prepare for the change. Do you want to do that with this draft?

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511

State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3614/4
RPN&JTK:jlg:km

1999 BILL

Regen

AN ACT *to amend* 799.01 (1) (c), 799.01 (1) (d) (intro.) and 799.01 (2) of the statutes; **relating to:** the maximum dollar amount for small claims actions and for claims against the state that may be paid by the claims board without legislative approval.

Analysis by the Legislative Reference Bureau

Under current law, the small claims court procedure, which is much less formal than other circuit court procedures, is limited to certain types of actions, such as evictions, and to actions in which the amount in dispute is $5,000 or less.

Currently, the claims board investigates and makes recommendations on all claims in amounts of $10 or more against the state that are referred to the board by the department of administration. With limited exceptions, whenever the board by unanimous vote finds that payment to a claimant of not more than the maximum amount that may be claimed in most actions and proceedings in small claims court is justified, it may order the amount that it finds justified to be paid without approval of the legislature. If the board does not so find unanimously or if the board finds that payment of a higher amount is justified, the board must recommend to the legislature the amount of the payment that the board finds to be justified.

This bill raises the maximum amount for both purposes to $8,000.

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

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

SECTION 1. 799.01 (1) (c) of the statutes is amended to read:

799.01 (1) (c) ***Replevins.*** Actions for replevin under ss. 810.01 to 810.13 where the value of the property claimed does not exceed ~~$5,000~~ $8,000.

SECTION 2. **799.01 (1)** (d) (intro.) of the statutes is amended to read:

799.01 (1) (d) ***Other civil actions.*** (intro.) Other civil actions where the amount claimed is ~~$5,000~~ $8,000 or less, if the actions or proceedings are:

SECTION 3. **799.01 (2)** of the statutes is amended to read:

799.01 (2) PERMISSIVE USE OF SMALL CLAIMS PROCEDURE. A taxing authority may use the procedure in this chapter in an action to recover a tax from a person liable for that tax where the amount claimed, including interest and penalties, is ~~$5,000~~ $8,000 or less. This chapter is not the exclusive procedure for those actions.

SECTION 4. Initial applicability.

(1) This act first applies to actions commenced on the effective date of this subsection.

(END)

Insert 2-14

1999 INS 2-14

Nonstat File Sequence: F F F

LRB -3614/4

RPN 5TH : :

EFFECTIVEDATE

1. In the component bar: For the action phrase, execute: . . . . **create → action: → *NS: → effdate**
   For the text, execute: . . . . . **create → text: → *NS: → effdateA**
2. Nonstatutory subunits are numbered automatically **if "(#1)", "(#2)",** etc., is filled in. Below, fill in "____" or "( )" only if a "frozen" number is needed.

SECTION # 55. Effective date.

(#1) ( ) . . . . . This act takes effect on . . . . . the first day of the 3rd month beginning after publication.

1. In the component bar: For the action phrase, execute: . . **create → action: → *NS: → effdateE**
   For the text, execute: . . . . . **create → text: → *NS: → effdate**
2. Nonstatutory subunits are numbered automatically **if "(#1)", "(#2)",** etc., **is** filled in. Below, fill in "____" or "( )" only if a **"frozen"** number is needed.

SECTION # ____ . Effective dates; . . . . . .

. . . . . This act takes effect on the day after publication, except as follows:

(#1) ( ) . . . . . The treatment of sections . . . . . of the statutes takes effect on . . . . . .

1. In the component bar: For the **budget action** phrase, **execute:..create → action: → *NS: → 94XX**
   For the text, execute: . . . . . **create → text: → *NS: → effdate**
2. Nonstatutory subunits are numbered automatically **if "(#1)", "(#2)",** etc., is filled in. Below, for the budget, fill in the 9469 **department code; and** fill in **"( )"** only if a **"frozen"** number **is** needed.

SECTION 94____ ____. Effective dates; . . . . . .

. . . . . .

(#1) ( ) . . . . . The treatment of sections . . . . . of the statutes takes effect on . . . . . .

. . . . . .

[rev: **6/2/98 1999effdate(fm)**]

SUBMITTAL FORM

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 1 l/12/1999

To: Representative Albers

Relating to LRB drafting number: LB-3614

Topic
Limitation on approval of claims by claims board

Subject(s)
State Finance - claims agnst st

1. **JACKET** the draft for introduction _____

   in the **Senate** ____ or the **Assembly** X (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____

   A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW,** prior to introduction _____

   If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert P. Nelson, Senior Legislative Attorney
Telephone: (608) 267-75 11