

2001 DRAFTING REQUEST

Bill

Received: 03/04/2001

Received By: kuesejt

Wanted: Soon

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:

Addl. Drafters:

Subject: State Finance - claims agnst st

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Alan and Marlene Sieker claim

Instructions:

Per 1999 AB-151.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kuesejt 03/04/2001	jdyer 03/05/2001		_____			State
/1			jfrantze 03/05/2001	_____	lrb_docadmin 03/05/2001	lrb_docadmin 03/23/2001	

FE Sent For:

→ AT Intro.

<END>

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1?	kuesejt	1 3/5 jw	2 3/6	2 6/19 3/6			

FE Sent For:

<END>

A black and white portrait of Sheryl Albers, a woman with short hair, wearing a dark top. The name "Sheryl Albers" is written in a white, serif font over the bottom right portion of the portrait.

Sheryl  
Albers

To: Attorney Jeff Kuesel  
LRB – Drafting

From: Representative Sheryl K. Albers

Date: March 1, 2001

Subject: Claims Board Approvals

---

Please re-draft the following 1999 Assembly Bills as 2001 Assembly Bills. Each constitute claims recommended for legislation by the Claims Board in 1998 and 1999, but which failed to pass during the 1999-2000 biennium:

1999 AB 151  
1999 AB 650  
1999 AB 651  
1999 AB 652  
1999 AB 653  
1999 AB 932  
1999 AB 933

Thank you.

D-note

-2711/1

Wanted soon

JLD

## 1999 ASSEMBLY BILL 151

March 4, 1999 - Introduced by Representative ALBERS, cosponsored by Senator SCHULTZ. Referred to Joint committee on Finance.

Regen

- 1 AN ACT relating to: expenditure of \$12,600 from the general fund in payment  
2 of a claim against the state made by Alan and Marlene Sieker.

### *Analysis by the Legislative Reference Bureau*

This bill directs expenditure of \$12,600 from the general fund in payment of a claim made by Alan and Marlene Sieker against the department of agriculture, trade and consumer protection (DATCP). In September 1997, DATCP condemned and ordered the claimants to destroy 14 elk ~~which~~ they owned as a part of the bovine tuberculosis control program under s. 95.25, stats. Under s. 95.25 (5), 1995 stats., DATCP compensated persons whose animals were condemned at the rate of two-thirds of the difference between the net salvage value and the appraised or agreed value of the animals, but not more than \$600 per animal. In this case, the claimants received \$600 per animal for a total of \$8,400. In 1995 Wisconsin Act 450, the legislature increased the maximum rate of reimbursement to \$1,500 per animal. 1995 Wisconsin Act 450 was enacted on June 24, 1996, but did not take effect until November 1, 1997. The claimants assert that, if 1995 Wisconsin Act 450 had been in effect at the time that their animals were condemned, they would have been paid \$1,500 per animal. They claim the difference between the amount they were paid (\$8,400) and the maximum amount they could have been paid had 1995 Wisconsin Act 450 been in effect (\$21,000), for a total of \$12,600. The claims board recommended payment of this claim on December 17, 1998 (see 1997 *Senate Journal*, p.813). *that* \*

**ASSEMBLY BILL 151**

For further information see the *state* 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:*

1           **SECTION 1. Claim against the state.** There is directed to be expended from  
2 the appropriation under section 20.505 (4) (d) of the statutes, as affected by the acts  
3 of ~~1997 and 1999~~ <sup>and 2001</sup>, \$12,600 in payment of a claim against the state made by Alan and  
4 Marlene Sieker, Manitowoc, Wisconsin, to compensate them for a portion of the value  
5 of 14 elk <sup>that</sup> ~~which~~ they owned that were condemned by the department of agriculture,  
6 trade and consumer protection in September 1997. Acceptance of this payment  
7 releases this state and its officers, employ<sup>e</sup>s and agents from any further liability \*  
8 resulting from this condemnation action.

(END)

D-note  
↓

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

2711  
LRB-~~10/12/11~~dm  
JTK:hmh

February 22, 1999 } new date

Jld

In this case, the claims board did not specify an appropriation from which the board wanted this claim to be paid. The draft provides for the claim to be paid from the claims board appropriation under s. 20.505 (4) (d), stats. The only other alternative would be to make payment from the appropriation to DATCP under s. 20.115 (2) (b), stats. In this case, however, both appropriations are sum sufficient appropriations of general purpose revenue. Therefore, the result is identical in either case.

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



STEPHEN R. MILLER  
CHIEF

# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

March 5, 2001

### MEMORANDUM

To: Representative Albers

From: Jeffery T. Kuesel, Managing Attorney

Re: LRB-2711 Alan and Marlene Sieker claim

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

X JACKET FOR ASSEMBLY \_\_\_\_\_ JACKET FOR SENATE  
*23 March 01*

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-6778 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2711/1dn  
JTK:jld:jf

March 5, 2001

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