

**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:**

City of West Allis claim #1

**Instructions:**

Per 1999 AB-651.

**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			martykr 03/05/2001	_____	lrb_docadmin 03/05/2001	lrb_docadmin 03/23/2001	

FE Sent For:

<END>

↳ AT Intro.

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Instructions:

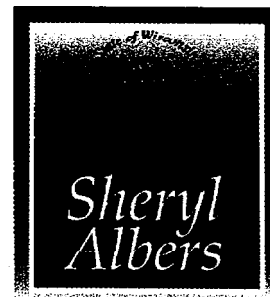
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To: Attorney Jeff Kuesel  
LRB – Drafting

From: Representative Sheryl K. Albers

Date: March 1, 2001

Subject: Claims Board Approvals

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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.

*waited soon*

*jd*

**1999 ASSEMBLY BILL 651**

January 11, 2000 – Introduced by Representative ALBERS, cosponsored by Senator BURKE, by request of The Claims Board. Referred to Joint committee on Finance.

*Regen*

- 1 AN ACT relating to: expenditure of \$13,785.25 from moneys appropriated to the
- 2 department of transportation in payment of a claim against the state made by
- 3 the city of West Allis.

*Analysis by the Legislative Reference Bureau*

*current*

This bill directs expenditure of \$13,785.25<sup>v</sup> from moneys appropriated to the department of transportation (DOT) for the ~~1999-2001~~ fiscal biennium for improvement of existing state trunk highways and connecting highways and bridges, for construction and rehabilitation of interstate highways, and for certain related programs in payment of a claim against DOT by the city of West Allis. In 1993-94, the city incurred real estate acquisition costs in connection with an improvement project for South 76th Street, 80% of which would have been eligible for federal and state financial participation if an application for approval of federal financial participation had been timely filed. The city relied upon DOT to file the application, but due to an oversight by a DOT employe<sup>e</sup>, the application was not filed in a timely manner. On October 19, 1999, the claims board recommended payment of this claim (see *Senate Journal*, pp. 307-308).

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:*

*1999*

## ASSEMBLY BILL 651

1           **SECTION 1. Claim against the state.** There is directed to be expended from the  
2 appropriation under section 20.395 (3) (cq) of the statutes, as affected by the acts of  
3 1999, <sup>and 2001</sup> \$13,785.25 in payment of a claim against the state made by the city of West  
4 Allis as reimbursement for 80% of the real estate acquisition costs incurred by the  
5 city in the improvement of South 76th Street in 1993-94, which would have been  
6 paid with federal and state aid but for the failure of an employe<sup>e</sup> of the department  
7 of transportation to obtain prior approval for federal financial participation in the  
8 improvement project. Acceptance of this payment releases this state and its officers,  
9 employe<sup>e</sup>s and agents from any further liability resulting from expenses incurred by  
10 the city in constructing this improvement project.

11

(END)



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-2710 City of West Allis claim #1

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.