

**2001 DRAFTING REQUEST**

**Bill**

Received: **04/05/2001**

Received By: **kuesejt**

Wanted: **Soon**

Identical to LRB:

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

By/Representing: **Scott Southworth**

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

Drafter: **kuesejt**

May Contact:

Addl. Drafters:

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

Extra Copies:

Submit via email: **NO**

Requester's email:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Milwaukee County claim

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**Instructions:**

Per 1991 SB-106.

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**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 04/05/2001	gilfokm 04/06/2001		_____			State
/1			haugeca 04/09/2001	_____	lrb_docadmin 04/09/2001	lrb_docadmin 04/10/2001	

FE Sent For:

↳ AF  
Intro.

<END>

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12/6	kuesejt 4/5	1-4/ Kmgd 5-01	CH <del>CH</del> ua	CH <del>CH</del> pb 4-9			

FE Sent For:

<END>

**Kuesel, Jeffery**

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**From:** Southworth, Scott  
**Sent:** Thursday, April 05, 2001 8:58 AM  
**To:** Kuesel, Jeffery  
**Subject:** RE: Re-draft of 1999 AB 115 (Claims Board)

Let's do it - you can just directly jacket the re-draft and send it over. Could you get that to me today or tomorrow? I'll wait to introduce the others until I have that one. That way, the bill numbers for all the Claims Board approvals will all be in concurrent order. Thanks.

-----Original Message-----

**From:** **Kuesel, Jeffery**  
**Sent:** Wednesday, April 04, 2001 4:45 PM  
**To:** Southworth, Scott  
**Subject:** RE: Re-draft of 1999 AB 115 (Claims Board)

Scott,

I don't believe so. I think what happened is that there was a dispute between the state elections board and the locals regarding who was at fault, but the Claims Board felt the locals should be paid. The Winnebago County legislators made this a priority and used up some chips in the caucus to get this through, whereas the Milwaukee County legislators had other priorities and did not pursue it as aggressively. We can redraft 91 SB-106 for this session if you need it.

Jeff

-----Original Message-----

**From:** Southworth, Scott  
**Sent:** Wednesday, April 04, 2001 4:21 PM  
**To:** Kuesel, Jeffery  
**Subject:** RE: Re-draft of 1999 AB 115 (Claims Board)

Jeff,

After further review, I noted that 1999 AB 115 only included Winnebago County. However, there was also a claim by Milwaukee County for \$50,119 that dealt with the same issue (Elections Board order to stop printing of presidential election ballots), and it was found in 1991 SB 106, which did not pass. Did this ever find its way into any budget?

Thanks.

Scott

-----Original Message-----

**From:** **Kuesel, Jeffery**  
**Sent:** Monday, March 26, 2001 3:11 PM  
**To:** Southworth, Scott  
**Subject:** RE: Re-draft of 1999 AB 115 (Claims Board)

Scott,

We took care of this claim in the budget act- 1999 Wisconsin Act 9, section 9158 (9g). I think this does it, but if there is any outstanding issue, please let me know.

Jeff

-----Original Message-----

**From:** Southworth, Scott  
**Sent:** Friday, March 23, 2001 4:09 PM  
**To:** Kuesel, Jeffery  
**Subject:** Re-draft of 1999 AB 115 (Claims Board)

Jeff,

It looks like we've got one more re-draft before I send all of the Claims Board approvals over for introduction: 1999 AB 115. This wasn't an Albers/Burke bill - it was introduced by Owens, etc. - not sure why this didn't come through us last session, but it looks like it was an "approval by proxy;" another claim was approved years ago, and the Claims Board gave blanket support for any other similar claims from other counties, as long as they provided proof.

We caught this one via a memo from Patricia Reardon. As soon as you get this to me, we'll get everything set up for the big introduction of all the bills. Thanks.

Scott

Attorney Scott Harold Southworth  
Research Assistant  
Office of State Representative Sheryl K. Albers

9001-2002

LRB-0709/1  
JTK:lj

-3031/1

KMG

WANTED SOON

LPS: This 1991 draft is in the database; do old-new. HQ

B  
relating

LPS: create a new catalog component to ensure that all markers, etc., are correct.

- 1 AN ACT to direct expenditure of \$50,119 from the general fund for payment in
- 2 of a claim against the state made by Milwaukee county.

Analysis by the Legislative Reference Bureau

This bill directs expenditure of \$50,119 from the general fund in payment of a claim made by Milwaukee county against the state. Under s. 5.72 (1), stats., county and municipal clerks and boards of election commissioners preparing ballots are directed to submit copies of the ballots, or proof copies, to the state elections board for review of possible errors. The board <sup>were</sup> directed to notify the clerk or board of election commissioners of any errors that it discovers within 7 days after submittal. At the 1988 general election, the Milwaukee county board of election commissioners did not submit ballots or proof copies. On October 12, 1988, the state elections board issued an order finding that the county's ballots for the 1988 general election did not comply with s. 5.64 (3), stats., which requires a separate presidential ballot, or with s. 5.64 (1) (a) and (3) (a), stats., which requires specific voting instructions in plain, legible type, and requires ballot titles to appear in lettering at least three-eighths inch high. The elections board ordered the county to reprint its ballots for the city of Milwaukee and village of Shorewood. The county incurred costs of \$62,438 and claimed this amount. On February 5, 1990, the claims board recommended approval of the county's claim in the amount of \$50,119, representing the cost of the ballots that were destroyed as a result of the order of the elections board. (See 1989 Senate Journal, pp. 683-684.)

1987

1987

1987

seven

was

discussed

required

required

I

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

B/C

The people of the state of Wisconsin, represented in senate and assembly,

do enact as follows:

B; no caps

SECTION 1. CLAIM AGAINST THE STATE. There is directed to be expended from the appropriation under section 20.505 (4) (d) of the statutes, as

sheet component; 4

\* NS: nonstat.

1 affected by the acts of ~~1989~~<sup>1999</sup> and ~~1991~~<sup>2001</sup>, \$50,119 in payment of a claim  
2 against the state made by Milwaukee county to compensate the county for  
3 the cost of reprinting ballots for the 1988 general election that were  
4 found by the state elections board to be out of conformity with state law.  
5 Acceptance of this payment releases this state and its officers, employe<sup>e</sup>  
6 and agents from any further liability with respect to the county's defec-  
7 tive ballots for the 1988 general election.

8

(End)





State of Wisconsin  
1991-1992 LEGISLATURE

LRB-0709/1  
JTK:skg:hjd

**1991 BILL**

1 AN ACT to direct expenditure of \$50,119 from the general fund for payment of a  
2 claim against the state made by Milwaukee county.

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***Analysis by the Legislative Reference Bureau***

This bill directs expenditure of \$50,119 from the general fund in payment of a claim made by Milwaukee county against the state. Under s. 5.72 (1), stats., county and municipal clerks and boards of election commissioners preparing ballots are directed to submit copies of the ballots, or proof copies, to the state elections board for review of possible errors. The board is directed to notify the clerk or board of election commissioners of any errors that it discovers within 7 days after submittal. At the 1988 general election, the Milwaukee county board of election commissioners did not submit ballots or proof copies. On October 12, 1988, the state elections board issued an order finding that the county's ballots for the 1988 general election did not comply with s. 5.64 (3), stats., which requires a separate presidential ballot, or with s. 5.64 (1) (a) and (3) (a), stats., which requires specific voting instructions in plain, legible type, and requires ballot titles to appear in lettering at least three-eighths inch high. The elections board ordered the county to reprint its ballots for the city of Milwaukee and village of Shorewood. The county incurred costs of \$62,438 and claimed this amount. On February 5, 1990, the claims board recommended approval of the county's claim in the amount of \$50,119, representing the cost of the ballots that were destroyed as a result of the order of the elections board. See 1989 *Senate Journal*, pp. 683-684.

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:***





# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

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

STEPHEN R. MILLER  
CHIEF

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

April 9, 2001  
Rec'd 9 Apr 01 545

### MEMORANDUM

To: Representative Albers

From: Jeffery T. Kuesel, Managing Attorney

Re: LRB-3031/1 Milwaukee County 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.

JACKET FOR ASSEMBLY  JACKET FOR SENATE  
↳ 19 Apr 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.