

2003 SENATE BILL 329

November 26, 2003 – Introduced by Senators WELCH, REYNOLDS and SCHULTZ, cosponsored by Representatives D. MEYER, HAHN, ALBERS, HINES, JESKEWITZ, STASKUNAS and BIES, by request of State of Wisconsin Claims Board. Referred to Joint Committee on Finance.

1 **AN ACT relating to:** expenditure of \$56,300 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

This bill directs expenditure of \$56,300 from moneys appropriated to the Department of Transportation (DOT) for the current 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 1994–95, the city incurred real estate acquisition costs in connection with an improvement project for South 84th Street, 80 percent 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 employee the application was not filed in a timely manner. On October 19, 1999, the claims board recommended payment of this claim (see 1999 *Senate Journal*, p. 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:

SENATE BILL 329**SECTION 1**

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 2001 and 2003, \$56,300 in payment of a claim against the state made by the city of
4 West Allis as reimbursement for 80 percent of the real estate acquisition costs
5 incurred by the city in the improvement of South 84th Street in 1994–95, which
6 would have been paid with federal and state aid but for the failure of an employee
7 of the department of transportation to obtain prior approval for federal financial
8 participation in the improvement project. Acceptance of this payment releases this
9 state and its officers, employees, and agents from any further liability resulting from
10 expenses incurred by the city in constructing this improvement project.

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(END)