

STATE OF WISCONSIN

Senate Journal

Seventy-Seventh Session

FRIDAY, January 29, 1965.

9:00 o'clock A.M.

The senate met.

The senate was called to order by the clerk.

Senator Zaborski was selected to preside at today's session, upon motion of Senator Roselep, with unanimous consent.

Senator Zaborski in the chair.

The calling of the roll was dispensed with, upon motion of Senator Roselep, with unanimous consent.

BILLS INTRODUCED

Senate Bill 62

Relating to the deletion of obsolete material, the elimination of inconsistencies, and the clarification and modification of various provisions pertaining to the Wisconsin retirement fund.

By Senators LaFave, Panzer and Risser; co-sponsored by Assemblymen Mathews and Johnson.

Read first time.

To joint Survey committee on Retirement Systems.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of Administration
Bureau of Management
Room B130 State Office Building
Madison, Wisconsin 53702

Mr. Lawrence R. Larsen
Chief Clerk
State Senate
Madison, Wisconsin

Dear Mr. Larsen:

The State Claims Commission is submitting a report to you in accordance with the provisions of Section 15.94 of the statutes covering claims heard by it on May 27, July 19, August 9 and October 28, 1963.

The amounts recommended for payment on claims included in this report are under \$500 and have, therefore, under the provisions of the statutes been paid directly by the Commission where unanimous approval has been made. The claim of D. A. Shambeau, which did not have unanimous approval, has been presented to the Legislature for appropriation of \$407.37 in Bill 852, A. The report is for the information of the Legislature.

The Claims Commission will appreciate your acceptance of the report and the spreading of it upon the journal in the 1963 session of the legislature to inform the members of the Senate as to the nature of the type of claim which comes before the Commission for its consideration.

Sincerely,

WAYNE F. MCGOWN,
Secretary
State Claims Commission.

November 20, 1963.

BEFORE THE
CLAIMS COMMISSION OF WISCONSIN

Hearings were held at Madison, Wisconsin, on the following claims:

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<i>Claimant</i>	<i>Date of Hearing</i>	<i>Amount of Claim</i>
1. D. A. Shambeau	May 27, 1963 -----	\$ 548.07
2. Elmer and Lila F. Groth	July 19 and October 28, 1963 -----	281.00
3. Mae N. Luebstorf	August 9, 1963 -----	25,000.00
4. Hazel Schoenrock	October 28, 1963 -----	1,200.00

The Commission Finds:

1. *D. A. Shambeau*

D. A. Shambeau claims \$548.07 for damages to a tractor which he rented to the Grand Army Home at King in 1959, the evidence is conflicting as to the condition of the tractor when it was delivered to the Home and, consequently, what damages might be attributable to the use and care of the vehicle at the Home. The Commission concludes, by a three to one vote, that the State should pay \$407.37 of the claim.

Commissioner McGown took no part in the consideration of this claim.

2. *Elmer and Lila F. Groth*

Elmer and Lila F. Groth claim \$281.00 to compensate them for damages caused by a ward of the State, who was placed in the foster home operated by the claimants. The ward ran away on June 3, 1963, taking \$360.00 belonging to the claimants. Part of that sum was returned after the ward was apprehended. The Commission concludes that on equitable principles the State should pay the claim.

Commissioner Pommerening took no part in the consideration of this claim.

3. *Mae N. Luebstorf*

Mae N. Luebstorf claims \$25,000.00 as a result of injuries suffered in an accident at Northern Wisconsin Colony and Training School on October 8 or 9, 1962. The claimant, an employee at the school, had been living for several weeks in a rented room on the school grounds. She left her bedroom to walk down an unlighted hall to the bathroom, passed the bathroom door, passed the wall switch controlling the hall lights and fell down a stairway. The Commission finds that the principal cause of the accident was the negligence of the claimant and that the claim is not one which on equitable principles the State should pay.

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4. *Hazel Schoenrock*

Hazel Schoenrock claims \$1,200.00 as a result of injuries suffered in an accident at the State Fairgrounds on August 9, 1963. The claimant was descending a stairway having 7½" risers, except that the bottom riser was only 2¾", and fell in taking the final step to the ground. The non-uniform risers do not comply with the safety code, and the Commission concludes that on equitable principles the State should pay \$208.00 of the claim.

The Commission Concludes:

1. That the claim of Mae N. Luebstorf should be denied.
2. That payment of the following amounts to the following claimants, respectively, is justified under the provisions of section 15.94, Statutes:

D. A. Shambeau -----	\$407.37
Elmer and Lila F. Groth -----	281.00
Hazel Schoenrock -----	208.00

Dated at Madison, Wisconsin, this 12th day of November, 1963.

WALTER G. HOLLANDER
Chairman, Senate Finance Committee
of 1963 Legislature

GLEN E. POMMERENING
Chairman, Assembly Finance
Committee of 1963 Legislature

WAYNE F. McGOWN
Representative of Commission
of Administration

LEONARD S. ZUBRENSKY
Representative of Governor

E. WESTON WOOD
Representative of Attorney General

The foregoing report of the Claims Commission was received and referred to the joint committee on Finance.

Ordered spread upon the journal.

COMMITTEE REPORT

The committee on Labor, Taxation, Insurance and Banking reports and recommends:

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Senate Bill —

A bill to amend 966.14 of the statutes, relating to the compensation of coroners and deputy coroners.

Introduction; Ayes 5; Noes, 0.

Senate Bill —

A bill to create 70.11 (10r) of the statutes, relating to exempting property owned and used by any Wisconsin Lions International club from general property taxes.

Introduction; Ayes, 5; Noes, 0.

GERALD D. LORGE,
Chairman.

BILLS INTRODUCED

Senate Bill 63

Relating to the compensation of coroners and deputy coroners.

By committee on Labor, Taxation, Insurance and Banking, by request of Wisconsin Coroners Association.

Read first time.

To committee on Governmental and Veterans' Affairs.

Senate Bill 64

Relating to exempting property owned and used by any Wisconsin Lions International club from general property taxes.

By committee on Labor, Taxation, Insurance and Banking, by request of Lions Club of the City of Clintonville.

Read first time.

To joint Survey committee on Tax Exemptions.

Upon motion of Senator Roseleip, the senate adjourned until 11:30 o'clock Tuesday morning, February 2, 1965.