

STATE OF WISCONSIN

# Senate Journal

## Seventy-Seventh Session

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MONDAY, May 2, 1966.

1:00 o'clock P.M.

The senate reconvened after adjournment taken on November 4, 1965.

The president in the chair.

Prayer was offered by the Reverend A. C. Schumacher, Pastor of St. John's Lutheran Church of Madison.

The senate remained standing and recited the Pledge of Allegiance to the Flag of the United States.

The roll was called and the following senators answered to their names:

Senators Benson, Bice, Busby, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Absent—Senator Carr—1.

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### LEAVE OF ABSENCE

Senator Carr was granted a leave of absence for this week's session, upon motion of Senator Knowles, with unanimous consent.

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### INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to Assembly Bill 522 was offered by Senator Lourigan.

RESOLUTIONS INTRODUCED

**Senate Resolution 38**

To amend Senate Rules 32 (3) and 43, relating to enrolled bills and chief clerk's corrections.

*Resolved by the senate, That:*

SECTION 1. Senate Rule 32 (3) is amended to read:

SENATE RULE 32 (3). Any corrections made by the chief clerk under this rule shall be noted by him ~~upon~~ *on the jacket and entered in the journal.*

SECTION 2. Senate Rule 43 is amended to read:

SENATE RULE 43. ENROLLING BILLS AND RESOLUTIONS.

*Promptly after a senate bill has passed both houses it shall be duly enrolled under the direction of the chief clerk of the senate, and before it is presented to the governor for his approval. When a bill is duly enrolled, it shall be delivered by him the chief clerk shall deliver the jacket to the legislative reference bureau which shall enroll the bill, prepare the requisite number of copies, and return the jacket and copies to the chief clerk, who shall record it correctly enrolled in the journal stating the day it was presented to the governor. As far as applicable, the same procedure shall be followed in the case of senate resolutions requiring enrolling.*

SECTION 3. These changes shall take effect January 1, 1967.

By Senators Knowles and Zaborski

Was read.

The resolution was referred to the calendar of Tuesday, May 10th, upon motion of Senator Knowles, with unanimous consent.

**Senate Joint Resolution 115**

To amend Joint Rule 34, relating to the preparation and printing of the periodic index to acts.

*Resolved by the senate, the assembly concurring, That:*

SECTION 1. Joint Rule 34 is amended to read:

JOINT RULE 34. PERIODIC INDEX TO ACTS. Immediately after 200 acts have become law, whenever 200 additional acts have become law, and when the last act, ~~before any adjournment of the legislature of more than 30 days,~~ *enrolled bill has been acted on signed by the governor dur-*

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*ing any adjournment of the legislature of more than 30 days, the chief clerk of the senate legislative reference bureau shall have printed prepare camera-ready copy for a cumulative section number and subject matter index for of all acts which have become law . In addition to the acts of the current session, the index shall also show any laws or supreme court orders which have amended the statutes since their last printing. The required number of Copies of the index shall be promptly printed on the kind of paper used for the acts and delivered to the senate chief clerk, who shall cause them to be delivered in the same number and format, and distributed in the same manner, in which the acts are delivered to all persons entitled to receive the acts printed and distributed.*

SECTION 2. Section 1 of this resolution shall take effect on January 1, 1967.

By Senators Knowles and Zaborski.

Was read.

The joint resolution was referred to the calendar of Tuesday, May 10th, upon motion of Senator Knowles, with unanimous consent.

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### PETITIONS AND COMMUNICATIONS

#### Senate Petition 107

A petition by 37 residents of the 18th Senatorial District urging passage of a Wisconsin Meat and Poultry Inspection Law as proposed by the Wisconsin Freezer & Meat Processors Association.

By Senator Hollander. To committee on Agriculture.

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

November 11, 1965.

Mr. William P. Nugent  
Chief Clerk  
State Senate  
Madison, Wisconsin 53702

Dear Mr. Nugent: The State Claims Commission is submitting a report to you in accordance with the provisions

## JOURNAL OF THE SENATE [May 2, 1966]

of Section 15.94 of the statutes covering claims heard by it on September 1, 1965.

The amounts recommended for payment are under \$500 and have, therefore, under the provisions of the statutes been paid directly by the Commission. 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 1965 session of the legislature to inform the members of the Senate as to the nature of the type of claims which comes before the Commission for its consideration.

Sincerely,

WAYNE F. MCGOWN,  
Secretary,  
State Claims Commission.

### BEFORE THE CLAIMS COMMISSION OF WISCONSIN

Hearings were held at Madison, Wisconsin, on August 31, 1965, upon the following claims:

<i>Name of Claimant</i>	<i>Amount of Claim</i>
1. Arthur P. Lugg -----	\$30,000.00
2. Mrs. Harold C. Fenell -----	94.00
3. Anastacia Kropidlowski -----	26,500.00
4. Mrs. Roger Pfaff -----	91.00
5. Wilson Mutual Insurance Company -	175.66
6. Werner Zum Hofe -----	349.00

#### 1. *Arthur P. Lugg*

Arthur P. Lugg claims \$30,000.00 as the result of the death of his wife on March 3, 1964, while she was a patient at the Winnebago State Hospital. The death was caused by an allergic reaction to the drug, Tofranil, prescribed and administered by the staff of the hospital. Through a most unfortunate chain of circumstances, the particular drug was prescribed without the prescribing doctor realizing that the patient had a history of allergic reaction to that drug, although this history was known to some members of the hospital staff and was shown on some of the hospital records. The Commission concludes that the death was caused by negligence on the part of agents or employees of the State, but that damages of only \$12,500 have been proved.

#### 2. *Mrs. Harold C. Fenell*

Mrs. Harold C. Fenell claims \$94.00 as a result of an

accident on December 17, 1964, while she was performing services at Southern Colony. The claimant was unloading packages from a dolly and accidentally stepped on the dolly and fell, injuring her wrist. The Commission concludes that the claim is not one on which the State is legally liable or one which involves the causal negligence of any agent or employee of the State or one which on equitable principles the State should pay.

3. *Anastacia Kropidlowski*

Anastacia Kropidlowski claims \$26,500.00 as the result of the death of her husband on September 6, 1963, while he was a mental patient at Winnebago State Hospital. Death resulted from internal injuries received during a struggle while members of the hospital staff were seeking to subdue the patient who had become violent. The Commission is satisfied that undue force was used to subdue the patient, causing him to fall and suffer the injuries which proved fatal. Five staff members were involved in the struggle with a man of little over average size and armed only with a Venetian blind slat. The Department of Public Welfare has taken no position as to whether excessive force was used by its employees.

The Commission concludes that the injuries were caused in part by negligence of employees of the State. However, damages of only \$10,000.00 have been shown.

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

4. *Mrs. Roger Pfaff*

Mrs. Roger Pfaff claims \$91.00 to compensate her for medical expenses incurred as the result of an injury suffered by her son on April 2, 1965, in the gymnasium of the Wisconsin Child Center at Sparta. The son and other Sparta boys had gone to the Child Center to play basketball with children at the institution. During the game the claimant's son accidentally was bumped or shoved by one of the children from the institution and fell, fracturing his right hand. The Commission concludes that the claim is not one on which the State is legally liable or one which involves the causal negligence of any State employee or one which on equitable principles the State should pay.

5. *Wilson Mutual Insurance Company*

Wilson Mutual Insurance Company claims \$175.66 as the result of a claim paid on one of its insurance policies insur-

ing damage to farm products. On October 19, 1963, an escapee from Kettle Moraine Boys School, without the owner's consent, drove the farm tractor of claimant's insured, causing damage to the tractor. The Commission concludes that the claim is not one on which the State is legally liable or one which involves the causal negligence of any State employee or one which on equitable principles the State should pay.

6. *Werner Zum Hofe*

Werner Zum Hofe claims \$349.00 to compensate him for damages suffered in 1964 and caused by a ward of the State who was boarded at the claimant's foster home. The ward caused the death of a cow and a dog and ruined a mattress, all belonging to the claimant. The Commission concludes that the claim is one which on equitable principles the State should pay, to the extent of \$235.00.

*The Commission Concludes:*

1. That the claims of the following claimants should be denied:

Mrs. Harold C. Fenell  
Mrs. Roger Pfaff  
Wilson Mutual Insurance Company

2. That payment of the following amounts to the following claimants, respectively, is justified under the provisions of section 15.94, Statutes:

Arthur P. Lugg -----	\$12,500.00
Anastacia Kropidowski -----	10,000.00
Werner Zum Hofe -----	235.00

Dated at Madison, Wisconsin, this 29th day of November, 1965.

WALTER G. HOLLANDER,  
Chairman, Senate Committee  
on Finance.

GEORGE MOLINARO,  
Chairman, Assembly Committee  
on Finance.

ARVID A. SATHER,  
Representative of Governor.

WARREN D. EXO,  
Representative of Commissioner  
of Administration.

E. WESTON WOOD,  
Representative of Attorney General.

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

December 10, 1965.

Mr. William P. Nugent  
Chief Clerk  
State Senate  
Madison, Wisconsin 53702

Dear Mr. Nugent: 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 August 30 and 31, 1965.

The amounts recommended for payment under \$500 on claims included in this report have, therefore, under the provisions of the statutes been covering the claims over \$500 recommended for payment and will submit them to the Joint Finance Committee for legislative introduction. This 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 1965 session of the legislature to inform the members of the Senate as to the nature of the type of claims which comes before the Commission for its consideration.

Sincerely,

WAYNE F. McGOWN,  
Secretary.  
State Claims Commission.

BEFORE THE  
CLAIMS COMMISSION OF WISCONSIN

Hearings were held at Madison, Wisconsin, on August 30, 1965, on the following claims:

<i>Name of Claimant</i>	<i>Amount of Claim</i>
1. Albert Ayach -----	\$ 250.00
2. June R. Baker -----	22.66
3. Fannie Bayley -----	72.00
4. Dorothy Fearell -----	25,000.00
5. Mrs. Robert F. Ferber -----	8.00
6. Peter C. Fritz -----	33.95

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7. Fred Herschleder -----	30.90
8. Sarah Johnson -----	15,000.00
9. Helen L. Karls -----	12.88
10. Roland A. Klaus -----	499.00
11. Gerald F. McVey -----	10.90
12. Clemens S. Schmidt -----	43.75
13. Carole Walby -----	50.00

### The Commission Finds:

#### 1. *Albert Ayach*

Albert Ayach claims \$250.00 as the result of injuries sustained on November 21, 1964, when he slipped and fell on an icy pedestrian crossing at the State Fair grounds. The Commission concludes that the injury was caused by negligence of State employees, but that damages of only \$125.00 have been proved.

#### 2. *June R. Baker*

June R. Baker claims \$22.66 because of damages to her motor vehicle on January 23, 1965, while it was being parked by an employee of the University. The Commission concludes that the damages were caused by negligence of a State employee.

#### 3. *Fannie Bayley*

Fannie Bayley claims \$72.00 as the result of injuries sustained November 24, 1965, when she fell in the aisle of a legislative gallery at the Capitol. The Commission concluded that the injuries were caused by negligence of agents or employees of the State.

#### 4. *Dorothy Fearell*

Dorothy Fearell claims \$25,000.00 because of her alleged illegal incarceration in Mendota State Hospital from 1961 to 1964 and because of alleged personal injuries inflicted by other patients during such incarceration. The evidence does not show anything illegal in the commitment of the claimant, and no damages which could be attributable to negligence of State employees have been shown. The Commission concludes that the claim is not one which on equitable principles the State should pay.

#### 5. *Mrs. Robert F. Ferber*

Mrs. Robert F. Ferber claims \$8.00 as the result of personal injuries received August 19, 1964, at the State Fair from a splinter in a wooden seat. The Commission concludes

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that the injuries were caused by negligence of State employees.

### 6. *Peter C. Fritz*

Peter C. Fritz claims \$33.95 for damages to his clothing on April 9, 1965, while he was employed as an electrician at the University. The claimant was working in the Veterinary Science Building, when liquid live virus was spilled on his clothing. An attempt to disinfect the clothing ruined several items. The Commission concludes that the claim is one which on equitable principles the State should pay.

### 7. *Fred Herschleder*

Fred Herschleder claims \$30.90 because of damages to his motor vehicle on January 21, 1965, while the vehicle was being parked by a University employee. The Commission concludes that the damages were the result of negligence of a State employee.

### 8. *Sarah Johnson*

Sarah Johnson claims \$15,000.00 as the result of being committed to Mendota State Hospital on January 31, 1964, by order of the County Court for Dane County. The Commission concludes that the claim is not one which on equitable principles the State should pay.

### 9. *Helen L. Karls*

Helen L. Karls claims \$12.88 for damages to her wrist watch on April 27, 1965, when she tripped and fell on a mat in the lobby of the Hill Farms State Office Building. The Commission concludes that the injuries were caused by negligence of State agents or employees.

### 10. *Roland A. Klaus*

Roland A. Klaus claims \$499.00 as a result of injuries sustained by his wife on January 25, 1965, when she fell on snow covered ice on the sidewalk at the Hill Farms State Office Building. The Commission concludes that the injuries were due in part to negligence of State employees, but that damages of only \$205.00 have been proved.

### 11. *Gerald F. McVey*

Gerald F. McVey claims \$10.90 as the result of losing his cigarette lighter and tobacco pouch at the University Union on January 8, 1965. The items were found by a member of the Union staff and turned in to the Union desk but then were lost or misplaced by Union personnel. The Commission concludes that on equitable principles the State should pay this claim.

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### 12. *Clemens S. Schmidt*

Clemens S. Schmidt claims \$43.75 as the result of damage to his motor vehicle on March 5, 1965, while it was being parked by a University employee. The Commission concludes that the damage was caused by employees of the State.

### 13. *Carole Walby*

Carole Walby claims \$50.00 because of the loss of a painting while it was being exhibited at the 1964 Rural Arts Show at the University. The Commission concludes that the damages were caused by negligence of State employees.

### *The Commission Concludes:*

1. That the claims of the following claimants should be denied:

Dorothy Fearell  
Sarah Johnson

2. That payment of the following amounts to the following claimants, respectively, is justified under the provisions of section 15.94, Statutes:

Albert Ayach -----	\$125.00
June R. Baker -----	22.66
Fannie Bayley -----	72.00
Mrs. Robert S. Ferber -----	8.00
Peter C. Fritz -----	33.95
Fred Herschleder -----	30.90
Helen L. Karls -----	12.88
Roland A. Klaus -----	205.00
Gerald F. McVey -----	10.90
Clemens S. Schmidt -----	43.75
Carole Walby -----	50.00

Dated at Madison, Wisconsin, this 29th day of November, 1965.

WALTER G. HOLLANDER,  
Chairman, Senate Committee  
on Finance.

GEORGE MOLINARO,  
Assembly Committee on Finance.

ARVID A. SATHER,  
Representative of Governor.

WARREN D. EXO,  
Representative of Commissioner of  
Administration.

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

December 16, 1965.

Mr. William P. Nugent  
Chief Clerk  
State Senate  
Madison, Wisconsin 53702

Dear Mr. Nugent: 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 September 28, 1965.

The amounts recommended for payment under \$500 on claims included in this report have, therefore, under the provisions of the statutes been paid directly by the Commission. The Commission will prepare the bill covering the claim over \$500 recommended for payment and will submit it to the Joint Finance Committee for legislative introduction. This 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 1965 session of the legislature to inform the members of the Senate as to the nature of the type of claims which comes before the Commission for its consideration.

Sincerely,

WAYNE F. MCGOWN,  
Secretary,  
State Claims Commission.

BEFORE THE  
CLAIMS COMMISSION OF WISCONSIN

Hearings were held at Madison, Wisconsin, on September 1, 1965, upon the following claims:

<i>Name of Claimant</i>	<i>Amount of Claim</i>
1. Ralph M. Donahue -----	\$ 499.00
2. John E. Fitzgibbon -----	1,082.50
3. Gordon Kuhaupt -----	1,805.99
4. Alice Wanish -----	13.20

The Commission Finds:

1. *Ralph M. Donahue*

Ralph M. Donahue claims \$499.00 for services performed and expenses incurred on behalf of the Indian Study Committee between December 1, 1964, and January 4, 1965. Through an error, the proper steps were not taken to get the claimant upon the State payroll prior to the rendition of the services and the incurring of the expenses. The Commission concludes that the claim is one which on equitable principles the State should pay.

2. *John E. Fitzgibbon*

John E. Fitzgibbon claims \$1,082.50 for services alleged to have been rendered as a member of the Wisconsin Employment Relations Board from October 9, 1963, to November 3, 1963. The claimant had been appointed a member of said Board for a term ending October 1, 1963. On October 9, 1963, Zell Rice II was appointed as successor to the claimant who was paid the regular salary for the period ending October 8, 1963. The appointment of Mr. Rice was confirmed on November 4, 1963, but he was entitled to and did serve as a member of the Board from the time of his appointment on. *State ex rel. Thompson v. Gibson* (1964), 22 Wis. (2d) 275, at 294-295. The Commission concludes that the claim is not one on which the State is legally liable nor one which on equitable principles the State should pay.

3. *Gordon Kuhaupt*

Gordon Kuhaupt claims \$1,805.99 as the result of the destruction of his household goods on May 18, 1964, while such goods were being moved by a trucking firm. The claimant, an employee of the Department of Taxation, was transferred from Rice Lake to Milwaukee and was reimbursed by the State for the actual expense of moving his household goods. He did not insure the goods in excess of the amount of insurance provided under the published tariff of the carrier, and the claim is for the uninsured portion of his loss. The State is not obligated to pay the full cost of an employee's move from one city to another while in the State service but does pay the published tariff for moving such an employee's household goods. If the value of the goods exceeds the insurance coverage provided under the published tariff, it is up to the employee to obtain excess insurance. The Commission concludes that the claim is not

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one on which the State is legally liable nor one which on equitable principles the State should pay.

4. *Alice Wanish*

Alice Wanish claims \$13.20 as the result of the loss of a State check in that amount, issued in 1952. The check was found in 1964, but had been cancelled by the State Treasurer before that time. The Commission concludes that the claim is one which on equitable principles the State should pay.

*The Commission Concludes:*

1. That the claims of the following claimants should be denied:

John E. Fitzgibbon  
Gordon Kuhaupt

2. That payment of the following amounts to the following claimants, respectively, is justified under the provisions of section 15.94, Statutes:

Ralph M. Donahue -----	\$499.00
Alice Wanish -----	13.20

Dated at Madison, Wisconsin, this 4th day of November, 1965.

WALTER G. HOLLANDER,  
Chairman, Senate Committee  
on Finance.

GEORGE MOLINARO,  
Chairman, Assembly Committee  
on Finance.

ARVID A. SATHER,  
Representative of Governor.

WARREN D. EXO,  
Representative of Commissioner  
of Administration.

E. WESTON WOOD,  
Representative of Attorney General.

JOURNAL OF THE SENATE [May 2, 1966]

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

April 19, 1966.

Mr. William P. Nugent  
Senate Chief Clerk  
State Capitol  
Madison, Wisconsin 53702

Dear Mr. Nugent: 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 in September and October 1964, September 1965 and March 1966.

The amounts recommended for payment under \$500 on claims included in these reports have, therefore, under the provisions of the statutes been paid directly by the Commission. The Commission will prepare the bills covering the claims over \$500 recommended for payment and will submit them to the Joint Finance Committee for legislative introduction. These reports are for the information of the legislature.

The Claims Commission will appreciate your acceptance of the reports and the spreading of them upon the Journal in the May 1966 session of the legislature to inform the members of the Senate as to the nature of the type of claims which comes before the Commission for its consideration.

Sincerely,

WAYNE F. MCGOWN,  
Secretary,  
State Claims Commission.

BEFORE THE  
CLAIMS COMMISSION OF WISCONSIN

Hearings were held at Madison, Wisconsin, on September 28, 1965, upon the following claims:

<i>Name of Claimant</i>	<i>Amount of Claim</i>
1. Orville A. Disch -----	\$ 253.00
2. Edward Glatkowski -----	475.00

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3. Mrs. Ray Groose -----	1,157.67
4. Mrs. G. Erik Johanson -----	32.96
5. Madison Gas and Electric Company -	3,450.56
6. Harold Pankow -----	43.93
7. Stephen W. Sailors -----	300.00
8. Everett E. Seeley -----	26.50

### The Commission Finds:

#### 1. *Orville A. Disch*

Orville A. Disch claims \$253.00 as the result of damages to his automobile on August 24, 1964, when the vehicle struck an unlighted, unmarked steel guard rail placed on state trunk highway 145 to divert traffic to a new section of the highway. The Commission concludes that the accident was caused in part by negligence of employees of the State, but that damages of only \$100 have been proved.

#### 2. *Edward Glatowski*

Edward Glatowski claims \$475.00 for the loss of a pear tree upon his property, which was cut down by mistake by a Highway Commission crew in May, 1965. The Commission concludes that the damages were caused by negligence of State employees, but that damages of only \$50.00 have been proved.

#### 3. *Mrs. Ray Groose*

Mrs. Ray Groose claims \$1,157.67 for loss of business at her drive-in restaurant at Beaver Dam in 1963, when the usual access to the restaurant was closed to traffic during highway construction. Part of the claim is based on the closing of the usual access for two weeks prior to the beginning of construction on a project on state trunk highway 33, but the early closing was done by the city for purposes of a separate construction project. For the remainder of the time during which the usual access was closed, there was an alternate access available, although it was less convenient for patrons of the claimant's restaurant. Highway construction often and necessarily causes temporary inconvenience and loss of business, but this alone is not grounds for the State to compensate those who are damaged. The Commission concludes that the claim is not one on which the State is legally liable, nor one which involves the causal negligence of officers or employees of the State, nor one which on equitable principles the State should pay.

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

### 4. *Mrs. G. Erik Johanson*

Mrs. G. Erik Johanson claims \$32.96 because of damage to her automobile on June 29, 1965, when the vehicle ran over a flag block placed upon U. S. Highway 12 near Augusta, to mark a freshly painted line. The block was not on the painted line but in the traffic lane at the time of the accident. The Commission concludes that the claim is one which on equitable principles the State should pay, but that damages of only \$16.50 have been proved.

### 5. *Madison Gas and Electric Company*

The Madison Gas and Electric Company claims \$3,450.56 for damages to its underground duct and cables on January 21, 1965, when a State Highway Commission crew taking soil samples misinterpreted a blue print and drilled in the wrong place. There is no question but that damage was caused by employees of the State. However, the claim includes \$688.83 for overhead, and the Commission concludes that this amount has not been proven to be damage resulting from negligence of State employees.

### 6. *Harold Pankow*

Harold Pankow claims \$43.93 for damages to his automobile on June 15, 1965, while it was being driven by a University parking lot attendant. The Commission concludes that the damage was caused by negligence of State employees.

### 7. *Stephen W. Sailors*

Stephen W. Sailors claims \$300.00 because of the loss of his property while in storage at a University dormitory over the summer of 1964. The Commission concludes that the loss was attributable to negligence of State employees but that damages of only \$250.00 have been proved.

### 8. *Everett E. Seeley*

Everett E. Seeley claims \$26.50 because of damages to his eye glasses on April 18, 1965, while he, as a member of the Wisconsin Army National Guard, was loading equipment at the Eau Claire Armory in connection with flood duty along the Mississippi River. The Commission concludes that the claim is one which on equitable principles the State should pay.

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## *The Commission Concludes:*

1. That the claim of Mrs. Ray Groose 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:

Orville A. Disch .....	\$ 100.00
Edward Glatowski .....	50.00
Mrs. G. Erik Johanson .....	16.50
Madison Gas and Electric Company .....	2,761.73
Harold Pankow .....	43.93
Stephen W. Sailors .....	250.00
Everett E. Seeley .....	26.50

Dated at Madison, Wisconsin, this 9th day of December, 1965.

WALTER G. HOLLANDER,  
Chairman, Senate Committee  
on Finance.

GEORGE MOLINARO,  
Chairman, Assembly Committee  
on Finance.

WARREN D. EXO,  
Representative of Commissioner  
of Administration.

E. WESTON WOOD,  
Representative of Attorney General.

## BEFORE THE CLAIMS COMMISSION OF WISCONSIN

Dean B. Ekstrom

Hearings were held at Madison, Wisconsin, on September 15 and October 6 and 22, 1964, on the claim of Dean B. Ekstrom for \$122,055.06, arising from a construction contract awarded to the claimant in 1959 in connection with a project on State Trunk Highway 72 and U. S. Highway 63, in Pierce County. The contract required the claimant to furnish a gravel or crushed stone base course over several miles of highway. The facts are complex, and the record is voluminous. The claim will be discussed under three major items.

Item I—\$3,462.47

Claimant contends that the Highway Commission arbitrarily required him to grade the gravel base course of the road a second time and maintain it until final acceptance, which was delayed unnecessarily by the Highway Commission, all of which increased the claimant's costs by \$3,462.47. The contract required the claimant to compact and shape the base course and to maintain it until final acceptance. We need not be concerned with the result had the Highway Commission deliberately and without cause withheld final acceptance. There is clear evidence that the claimant had not shaped and compacted the base course according to the plans until just about the time of final acceptance, and this Commission considers that Item I of the claim is not well founded.

Item II—\$105,092.59

Claimant contends that the Highway Commission erroneously shut down work on the project at various times because, due to faulty testing, the State's engineers found the material supplied by the claimant did not meet contract specifications; that such shutdowns idled the claimant's equipment for 593 $\frac{3}{4}$  hours, costing him \$74,218.75; that the State, in violation of the contract terms, kept the highway open to travel during construction, which increased the claimant's costs \$4,164.00; and that the unjustified shutdowns extended the work into 1961, causing the claimant to lose expected profits of \$25,000.00 from other highway contracts in that year and also resulting in his being assessed liquidated damages of \$1,709.84 because of the work not being completed in the required 160 days of contract time.

Much of the testimony concerned the methods used by the Highway Commission engineers in taking samples from the claimant's crusher and screening plant and in testing those samples. Even if we agree with the claimant's contention that the sampling and testing were not done in accordance with the best accepted practices, this would not answer the ultimate question of whether the materials produced by the claimant's plant failed at times to meet the contract specifications for grade and wear. We are satisfied that, even if some of the unsatisfactory test results were due to faulty sampling, this does not explain the bulk of the many tests showing sub-standard materials and that the prepon-

derance of the evidence does not support the claimant in this regard. We cannot determine that for any particular and material period of time the work was shut down improperly because of faulty sampling or testing of materials. From this and what has been said previously it follows that those parts of the claim based upon delays alleged to be the fault of the Highway Commission are not supported by the evidence.

A part of this item—\$4,164.00—is for the increased cost to the claimant by reason of the road being kept open to traffic during construction in 1961. Admittedly, the contract provided that during construction the road, with the exception of two minor segments, should be closed to through traffic. Also, the contract provided that if the contractor claims extra compensation is due for work not covered in the contract, or for which an adjustment is not provided in the specifications, he must notify the engineer in writing before commencing such work. Failure to give such notice and to afford the engineer facilities for keeping account of the actual cost of such work constitutes a waiver of claim for extra compensation.

Here no written notice was given by the claimant, seeking extra compensation because of the increased cost to him by reason of the road kept open to traffic; and the Commission finds no legal or equitable obligation to pay this part of the claim.

Item III—\$13,500.00

The third part of the claim is for losses suffered because the claimant, due to the delays in completing the work, was forced to sell three items of equipment in order to obtain working capital.

This portion of the claim is based solely on the theory that the delay in completion of the contract was the fault of the State. As previously set forth, the Commission does not find this to be the fact.

Item IV—\$11,600.00

In his reply brief the claimant sought to raise his claim by \$11,600 for damages allegedly caused by the State's requiring him to blend sand with the quarry materials in order to bring the end product within the contract specifications.

The record does not establish that any such order was given to the claimant or that the Highway Commission had

JOURNAL OF THE SENATE [May 2, 1966]

authority under the contract to make such an order. At most, it was suggested by the State's engineers that blending sand with the quarry materials in the crusher might help to bring the finished product within contract specifications. Certainly the State has no legal or equitable obligation to reimburse the claimant for additional expenses incurred by reason of following a suggestion, even had this alleged damage been included in the original claim or added by proper amendment.

The Commission concludes that the claim should be denied.

Dated at Madison, Wisconsin, this 14th day of April, 1966.

WALTER G. HOLLANDER,  
Chairman, Senate Committee  
on Finance.

WARREN D. EXO,  
Representative of Commissioner  
of Administration.

E. WESTON WOOD,  
Representative of Attorney General.

BEFORE THE  
CLAIMS COMMISSION OF WISCONSIN

Hearings were held at Madison, Wisconsin, on March 15, 1966, upon the following claims:

<i>Name of Claimant</i>	<i>Amount of Claim</i>
1. Mrs. Rodney L. Bartsch -----	\$ 25.00
2. Ronald J. Brisco -----	45.85
3. Harold J. Blank -----	12.00

and on September 28, 1965, and March 15, 1966, on the following claim:

4. Ilse Margaret Schmidt -----	\$ 2,500.00
--------------------------------	-------------

and on March 16, 1966, on the following claims:

5. Pauline Skrede -----	\$32,500.00
6. Stephen P. Roeder -----	187.50
7. City of Chilton -----	121.20
8. Adah Lellos -----	602.33
9. Mrs. William J. Pingel -----	100.00
10. Mary Margene Kastelic -----	4,500.00

## JOURNAL OF THE SENATE [May 2, 1966]

### The Commission Finds:

#### 1. *Mrs. Rodney L. Bartsch*

Mrs. Rodney L. Bartsch claims \$25.00 for damages to a grounds on March 20, 1965. The Commission concludes that dress torn by ragged metal on a bench at the State Fair the damages were attributable to negligence on the part of employees of the State, but damages of only \$12.50 have been proved.

#### 2. *Ronald J. Brisco*

Ronald J. Brisco claims \$45.85 for damages to a baby stroller being transported by a State Fair grounds bus on August 20, 1965. The Commission concludes that the damages were attributable to the negligence of State employees, but that damages of only \$15.42 have been proved.

#### 3. *Harold J. Blank*

Harold J. Blank claims \$12.00 for damages incurred when his son, a student at La Crosse State College, cut the back of his heel on the nose of a stair tread in the college gymnasium on July 27, 1965. The Commission concludes that the damages were caused by the negligence of State employees.

#### 4. *Ilse Margaret Schmidt*

Ilse Margaret Schmidt claims \$2,400.00 in damages because of the alleged breach of her contract to teach at Oshkosh State College during the spring, 1963, semester, and \$100 for alleged extra duties imposed upon her in the latter part of the previous semester. This claim discloses an almost appalling lack of understanding between the claimant and the College administration as to the duties of a teacher and the teacher's rights or privileges insofar as absence from the job is concerned.

The claimant was employed in September, 1962, as a faculty assistant at a salary of \$3,000.00 per semester, the normal salary for a "full" teaching load in that position. During the fall semester she was not given a full teaching load, but in January, 1963, was asked to take over a few days' work of another faculty member who was ill. The claimant contends that she was promised \$50 per day for the two days of extra duties she performed, and presents a statement to that effect signed by the Dean of Instructional Affairs. The Acting Dean of Business Affairs, how-

ever, contends that the claimant was not offered extra compensation for these additional duties and that those duties added to her partial teaching load did not exceed the normal teaching load for which she was paid. Also, it appears that it was customary for members of the faculty to take over one another's classes during brief illnesses, without extra compensation, and that the claimant had been absent from some of her own classes during brief illnesses.

The Commission finds that there was no enforceable contract between the claimant and the institution for payment of extra compensation for the extra duties performed in January, 1963, and that the State is not in good conscience obligated to pay such extra compensation.

A more difficult question arises with respect to the remainder of the claim. At about the end of February, 1963, the claimant received word that her father had died in Germany. She met the Acting Dean of Business Affairs on the street and informed him that she was making arrangements to fly to Europe to attend her father's funeral. Again, there is a conflict in the testimony. The claimant states that she already had called the school telephone operator, leaving word that the claimant could not meet her classes, and that the Acting Dean told her that he would inform the President and the Dean of Instructional Affairs and take care of everything, including the reassignment of teachers. The Acting Dean states that upon his inquiry the claimant said that she had already arranged for an absence with the Dean of Instructional Affairs. In any event, the claimant left for Europe and did not return for approximately five weeks. Shortly after her return she was informed that her position had been terminated as of March 1st. \$2,400.00 of her claim is for the salary of March through June, which she did not receive.

The arrangement or custom at the College for taking short leaves of absence without loss of pay appeared to have been very informal. The administration of the College contends that it was required that a teacher inform the Dean of Instructional Affairs whenever an absence was necessary, but it appears that in practice for short absences due to illness it was customary merely to telephone the College operator and let her pass the word along. The administration also contends that a faculty handbook was distributed to new faculty members, but the claimant testified that she did not receive a copy.

## JOURNAL OF THE SENATE [May 2, 1966]

In view of the conflicting evidence as to what occurred immediately prior to the claimant's departure for Europe and the further conflict as to the customary procedure for arranging for absences and the permissible length thereof, the Commission concludes that on equitable principles the State is obligated to pay \$900 of the claim.

### 5. *Pauline Skrede*

Pauline Skrede claims \$32,500.00 as the result of the death of Laurence Skrede on October 22, 1965, when his automobile left State Trunk Highway 131, near La Farge, and plunged into the Kickapoo River. The affidavit of claim alleges that the river overflowed the highway the previous night, leaving a deposit of slippery silt on the road surface. Also, it is alleged, that warning signs, previously erected, were removed without inspecting the safety of the road; that guard rails had not been installed on a sharp curve; and that a county highway truck traversed this section of the highway a few hours before the fatal accident, without the driver of the truck taking appropriate steps to remove the silt or post warning signs.

It was apparently the theory of the claimant that no adequate relief would be obtained through the Commission and that it was unnecessary to offer evidence at the hearing. Consequently, the Commission has nothing before it but the bare affidavit of claim. Under these circumstances the Commission cannot find that the accident was caused by negligence of State employees or that on equitable principles the claim should be paid.

### 6. *Stephen P. Roeder and*

### 7. *City of Chilton*

Stephen P. Roeder claims \$187.50, and the City of Chilton claims \$121.20, as the result of acts committed on August 4, 1965, by an inmate who had escaped from the Green Bay Reformatory. The escapee took Mr. Roeder's automobile without permission and had an accident, causing damages of \$187.50. The Chilton police apprehended the escapee, who had been injured in the accident, and took him to a hospital for treatment and later returned him to the reformatory. The City's claim is based on the costs of transporting the escapee and the medical and hospital expenses incurred for him and paid by the City.

There is no evidence that the escape was attributable to negligence of State agents or employees, and the theft of

Mr. Roeder's automobile well might have been prevented had the keys not been left in the vehicle.

The City's claim for reimbursement for medical and hospital expenses incurred for the prisoner well might be made to the county, under section 53.38, Stats. The Commission recognizes that the application of that statute to this particular situation is not altogether clear; but if the statute applies, reimbursement should be obtained pursuant to the statute. If the statute is held inapplicable, the City may resubmit its claim here.

The City's claim for the costs of transporting the prisoner back to the reformatory present another question. The reformatory administration requested the City to return the prisoner. Had the sheriff been asked to do so, there would have been no problem involved in reimbursing the county, under section 16.51 (7), Stats.

The Commission is of the opinion that the City may claim from the county the transportation costs, as well as the medical and hospital expense reimbursement, and that neither the City's nor Mr. Roeder's claim is one on which the State is legally liable nor one which on equitable principles the State should pay.

#### *8. Adah Lellos*

Adah Lellos claims \$602.33 as her share of the estate of Alice J. Philpott, deceased. Alice Philpott died intestate more than a decade ago, leaving no then known heirs, and her estate escheated, subject to being paid to any subsequently discovered heirs for a period of seven years. In 1959 the Clark County Court ordered payment of the estate to some 23 persons whose heirship had been established, including \$602.33 to one Ada Lilas. She could not be located at the time, and her share was not paid to her. It now appears that Ada Lilas and Adah Lellos are one and the same person and that she had been a patient at a Michigan state hospital for many years. The Commission finds that on equitable principles the State should pay the claim.

#### *9. Mrs. William J. Pingel*

Mrs. William J. Pingel claims \$100 as the heir of the payee of a State check issued on July 15, 1958, to William J. Pingel in the amount of \$100. The check was mislaid and subsequently cancelled by the State Treasurer. It had been issued to the late William J. Pingel as compensation for a cow slaughtered under the Bangs disease program. The

## JOURNAL OF THE SENATE [May 2, 1966]

Commission concludes that on equitable principles the State should pay the claim.

### 10. *Mary Margene Kastelic*

Mary Margene Kastelic claims \$4,500.00 as the result of injuries suffered in an accident on a slippery sidewalk on the grounds of the University of Wisconsin-Milwaukee on February 2, 1965. The Commission finds that the accident was caused by negligence of State employees in not properly maintaining the walks, but that damages of only \$495.00 have been proved.

#### *The Commission Concludes:*

1. That the claims of the following claimants should be denied:

Pauline Skrede  
City of Chilton  
Stephen P. Roeder

2. That payment of the following amounts to the following claimants, respectively, is justified under the provisions of section 15.94, Statutes:

Mrs. Rodney L. Bartsch .....	\$ 12.50
Ronald J. Brisco .....	15.42
Harold J. Blank .....	12.00
Ilse Margaret Schmidt .....	900.00
Adah Lellos .....	602.33
Mrs. William J. Pingel .....	100.00
Mary Margene Kastelic .....	495.00

Dated at Madison, Wisconsin, this 14th day of April, 1966.

WALTER G. HOLLANDER,  
Chairman, Senate Committee  
on Finance.

GEORGE MOLINARO,  
Chairman, Assembly Committee  
on Finance.

WARREN D. EXO,  
Representative of Commissioner  
of Administration.

E. WESTON WOOD,  
Representative of Attorney General.

JOURNAL OF THE SENATE [May 2, 1966]

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

April 25, 1966.

Mr. William P. Nugent  
Senate Chief Clerk  
State Capitol  
Madison, Wisconsin 53702

Dear Mr. Nugent: The State Claims Commission is submitting a report to you in accordance with the provisions of Section 15.94 of the statutes covering a claim heard by it on August 30, 1965.

The Claims Commission will appreciate your acceptance of the report and the spreading of it upon the Journal in the May 1966 session of the legislature to inform the members of the Senate as to the nature of the type of claims which come before the Commission for its consideration.

Sincerely,

WAYNE F. McGOWN,  
Secretary,  
State Claims Commission.

BEFORE THE  
CLAIMS COMMISSION OF WISCONSIN

A hearing was held at Madison, Wisconsin, on August 30, 1965, on the claim of Mary Jendrzejczyk for \$1,500.00 for damages resulting from a fall sustained at the State Fair grounds on August 22, 1964. The claimant allegedly was caught in a crowd and stumbled and fell when the crowd pushed her against a curb in front of one of the exhibition buildings. The evidence as to the amount of damages suffered by the claimant is meager to say the least. More important is the absence of any clear evidence on the part of State officers or employees; and the Commission concludes that the claim is not one on which the State is legally liable nor one on which on equitable principles the State should pay.

JOURNAL OF THE SENATE [May 2, 1966]

Dated at Madison, Wisconsin, this 20th day of April, 1966.

GEORGE MOLINARO,  
Chairman, Assembly Committee  
on Finance.

ARVID A. SATHER,  
Representative of Governor.

WARREN D. EXO,  
Representative of Commissioner  
of Administration.

The foregoing reports of the Claims Commission were received and referred to the joint committee on Finance.

Ordered spread upon the journal.

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COMMITTEE REPORTS

The committee on Committees reports and recommends:

The following appointments to the Highway Advisory Committee, pursuant to Jt. Res. 70, S., 1965:

Senators LaFave, Panzer and Kendziorski.

RAYMOND C. BICE,  
Chairman.

JERRIS LEONARD

The foregoing report of the committee on Committees was read and adopted, upon motion of Senator Bice.

The committee on Committees reports and recommends:

The following appointment to the Joint Legislative Council pursuant to Section 13.35 (1) (2), Wisconsin Statutes, to replace Senator Miller deceased:

Senator Leverich.

RAYMOND C. BICE,  
Chairman.

JERRIS LEONARD

The foregoing report of the committee on Committees was read and adopted, upon motion of Senator Bice.

JOURNAL OF THE SENATE [May 2, 1966]

The committee on Committees reports and recommends:

The following appointments to the Milwaukee Children's Court Study Commission, pursuant to Section 6, Chapter 462, Laws of 1965:

Senators Leonard and Schreiber.

RAYMOND C. BICE,  
Chairman.  
JERRIS LEONARD

The foregoing report of the committee on Committees was read and adopted, upon motion of Senator Bice.

The joint committee on Finance reports and recommends:

**Senate Bill —**

Relating to the creation of a water quality commission, transferring thereto the water quality functions of the state board of health and committee on water pollution, abolishing the committee on water pollution, providing incentives for pollution abatement, granting rule-making power and making an appropriation.

Introduction; Ayes, 12; Noes, 0.

**Senate Bill —**

Relating to social security aids, granting rule-making authority and providing a penalty.

Introduction; Ayes, 14; Noes, 0.

**Senate Bill —**

Relating to the power of county boards to delegate power in regard to current accounts.

Introduction; Ayes, 12; Noes, 0.

**Senate Bill —**

Relating to the authority of the state of Wisconsin investment board to maintain and repair buildings and other structures and premises owned by said board.

Introduction; Ayes, 13; Noes, 0.

**Senate Bill —**

Permitting the state investment board to make and hold mortgage loans or real estate purchases outside of Wisconsin under trust agreements.

Introduction; Ayes, 13; Noes, 0.

## JOURNAL OF THE SENATE [May 2, 1966]

### **Senate Bill —**

Relating to the setting of water quality standards by the committee on water pollution, and granting rule-making powers.

Introduction; Ayes, 13; Noes, 1.

### **Senate Bill —**

Relating to the preservation of the Wolf River and its tributaries in Menominee county and the areas adjacent to said waters, making an appropriation, and granting rule-making power.

Introduction; Ayes, 14; Noes, 0.

### **Senate Bill —**

An act to appropriate \$10,000 from the general fund for payment of a claim made by Anastacia Kropidowski against the state.

Introduction; Ayes, 13; Noes, 0.

### **Senate Bill —**

An act to appropriate \$2,761.73 from the highway fund for payment of a claim made by the Madison Gas and Electric Company against the State.

Introduction; Ayes, 13; Noes, 0.

### **Senate Bill —**

An act to appropriate \$12,500 from the general fund for payment of a claim made by Arthur P. Lugg against the state.

Introduction; Ayes, 13; Noes, 0.

### **Senate Bill —**

An act to appropriate \$602.23 from the general fund for payments of a claim made by Adah Lellos against the state.

Introduction; Ayes, 13; Noes, 0.

### **Senate Bill —**

An act to appropriate \$900 from the general fund for payment of a claim made by Ilse Margarete Schmidt against the state.

Introduction; Ayes, 13; Noes, 0.

### **Senate Bill —**

An act to increase the appropriation for medical care for the aged under s. 20.670 (3) (d).

Introduction; Ayes, 10; Noes, 0.

JOURNAL OF THE SENATE [May 2, 1966]

**Senate Bill —**

Relating to the creation of an appropriation for the Wisconsin federal surplus property development commission.  
Introduction; Ayes, 7; Noes, 2.

**Senate Bill —**

Relating to state aids to local boards of vocational, technical and adult education.  
Introduction; Ayes, 10; Noes, 0.

**Senate Bill —**

Relating to the appropriation for the pharmacy internship commission.  
Introduction; Ayes, 9; Noes, 1.

**Senate Bill —**

Relating to the salary of the deputy commissioner of banks and validating prior payments therefor.  
Introduction; Ayes, 9; Noes, 1.

**Senate Bill —**

Increasing the fee for replacement of illegible vehicle registration plates.  
Introduction; Ayes, 11; Noes, 0.

**Senate Bill —**

Relating to computation of state contribution rates to the state teachers retirement system.  
Introduction; Ayes, 11; Noes, 0.

**Senate Bill —**

Relating to the apportionment by chapter of individual income tax collections.  
Introduction; Ayes, 11; Noes, 0.

**Senate Bill —**

Relating to amounts subject to taxation as income.  
Introduction; Ayes, 10; Noes, 1.

**Senate Bill —**

Relating to declarations of estimated tax by individuals under the income tax law.  
Introduction; Ayes, 10; Noes, 1.

**Senate Bill —**

Relating to the time of making reports by the public administrator under the inheritance tax laws.  
Introduction; Ayes, 10; Noes, 1.

JOURNAL OF THE SENATE [May 2, 1966]

**Senate Bill —**

Relating to trout fishing stamps.

Introduction; Ayes, 10; Noes, 1.

**Senate Bill —**

Relating to pheasant hunting stamps.

Introduction; Ayes, 10; Noes, 1.

**Senate Bill —**

Relating to maintenance of patients in state and county hospitals.

Introduction; Ayes, 10; Noes, 1.

**Senate Bill —**

Relating to the administration of welfare services.

Introduction; Ayes, 10; Noes, 1.

**Senate Bill —**

Relating to the liability for care at the state colonies and training schools.

Introduction; Ayes, 10; Noes, 1.

**Senate Bill —**

Relating to fees in connection with vital statistics records.

Introduction; Ayes, 10; Noes, 1.

**Senate Bill —**

Relating to settlement between state and counties for maintenance of tuberculosis patients.

Introduction; Ayes, 10; Noes, 1.

**Senate Bill —**

Relating to motor vehicle registration plates.

Introduction; Ayes, 10; Noes, 1.

**Senate Bill —**

Relating to stolen vehicle reports.

Introduction; Ayes, 10; Noes, 1.

**Senate Bill —**

Relating to 12 monthly registration periods for motor vehicles.

Introduction; Ayes, 10; Noes, 1.

**Senate Bill 96**

Passage; Ayes, 9; Noes, 4.

## JOURNAL OF THE SENATE [May 2, 1966]

### **Senate Bill 519**

Adoption of amendment No. 1, S.; Ayes, 12; Noes, 2 and passage as amended; Ayes, 12; Noes, 2.

### **Senate Bill 575**

Adoption of substitute amendment No. 1, S.; Ayes, 13; Noes, 0 and passage as amended; Ayes, 12; Noes, 0.

### **Senate Bill 583**

Adoption of substitute amendment No. 1, S.; Ayes, 11; Noes, 3 and passage as amended; Ayes, 10; Noes, 3.

WALTER G. HOLLANDER,  
Senate Finance Chairman.

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## BILLS INTRODUCED

### **Senate Bill 620**

Relating to the creation of a water quality commission, transferring thereto the water quality functions of the state board of health and committee on water pollution, abolishing the committee on water pollution, providing incentives for pollution abatement, granting rule-making power and making an appropriation.

By joint committee on Finance by request of Governor Knowles and Governor's Committee on Water Resources.

Read first time.

To committee on Conservation.

### **Senate Bill 621**

Relating to social security aids, granting rule-making authority and providing a penalty.

By joint committee on Finance by request of Governor Knowles and the Governor's Task Force on Social Security Amendments.

Read first time.

To committee on Public Welfare.

### **Senate Bill 622**

Relating to the power of county boards to delegate power in regard to current accounts.

By joint committee on Finance by request of Senator Hollander; co-sponsored by Assemblyman Molinaro.

JOURNAL OF THE SENATE [May 2, 1966]

Read first time.

To committee on Governmental and Veterans' Affairs.

**Senate Bill 623**

Relating to the authority of the state of Wisconsin investment board to maintain and repair buildings and other structures and premises owned by said board.

By joint committee on Finance by request of State Investment Board.

Read first time.

To joint committee on Finance.

**Senate Bill 624**

Permitting the state investment board to make and hold mortgage loans or real estate purchases outside of Wisconsin under trust agreements.

By joint committee on Finance by request of State Investment Board.

Read first time.

To joint committee on Finance.

**Senate Bill 625**

Relating to the setting of water quality standards by the committee on water pollution, and granting rule-making powers.

By joint committee on Finance, by request of Wisconsin Conservation Commission.

Read first time.

To committee on Conservation.

**Senate Bill 626**

Relating to the preservation of the Wolf river and its tributaries in Menominee county and the areas adjacent to said waters, making an appropriation, and granting rule-making power.

By joint committee on Finance by request of Senator LaFave; co-sponsored by Messrs. Grover, Martin and Pommerening.

Read first time.

To committee on Conservation.

**Senate Bill 627**

An act to appropriate \$10,000 from the general fund for payment of a claim made by Anastacia Kropidlowski against the state.

## JOURNAL OF THE SENATE [May 2, 1966]

By joint committee on Finance by request of Claims Commission.

Read first time.

To joint committee on Finance.

### Senate Bill 628

An act to appropriate \$2,761.73 from the highway fund for payment of a claim made by the Madison Gas and Electric Company against the state.

By joint committee on Finance by request of Claims Commission.

Read first time.

To joint committee on Finance.

### Senate Bill 629

An act to appropriate \$12,500 from the general fund for payment of a claim made by Arthur P. Lugg against the state.

By joint committee on Finance by request of Claims Commission.

Read first time.

To joint committee on Finance.

### Senate Bill 630

An act to appropriate \$602.23 from the general fund for payment of a claim made by Adah Lellos against the state.

By joint committee on Finance by request of Claims Commission.

Read first time.

To joint committee on Finance.

### Senate Bill 631

An act to appropriate \$900 from the general fund for payment of a claim made by Ilse Margarete Schmidt against the state.

By joint committee on Finance, by request of Claims Commission.

Read first time.

To joint committee on Finance.

### Senate Bill 632

An act to increase the appropriation for medical care for the aged under s. 20.670 (3) (d).

By joint committee on Finance, by request of State Department of Public Welfare.

JOURNAL OF THE SENATE [May 2, 1966]

Read first time.

To joint committee on Finance.

**Senate Bill 633**

Relating to the creation of an appropriation for the Wisconsin federal surplus property development commission.

By joint committee on Finance.

Read first time.

To committee on Governmental and Veterans' Affairs.

**Senate Bill 634**

Relating to state aids to local boards of vocational, technical and adult education.

By joint committee on Finance.

Read first time.

To committee on Education.

**Senate Bill 635**

Relating to the appropriation for the pharmacy internship commission.

By joint committee on Finance.

Read first time.

To joint committee on Finance.

**Senate Bill 636**

Relating to the salary of the deputy commissioner of banks and validating prior payments therefor

By joint committee on Finance.

Read first time.

To joint committee on Finance.

**Senate Bill 637**

Increasing the fee for replacement of illegible vehicle registration plates.

By joint committee on Finance.

Read first time.

To committee on Highways.

**Senate Bill 638**

Relating to computation of state contribution rates to the state teachers retirement system.

By joint committee on Finance.

Read first time.

The bill was referred to the joint committee on Finance, upon motion of Senator Leonard, with unanimous consent.

**Senate Bill 639**

Relating to the apportionment of individual income tax collections.

By joint committee on Finance, by request of Department of Taxation.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

**Senate Bill 640**

Relating to amounts subject to taxation as income.

By joint committee on Finance, by request of Department of Taxation.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

**Senate Bill 641**

Relating to declaration of estimated tax by individuals under the income tax law.

By joint committee on Finance, by request of committee on Improved Expenditure Management.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

**Senate Bill 642**

Relating to the time of making reports by the public administrator under the inheritance tax laws.

By joint committee on Finance, by request of committee on Improved Expenditure Management.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

**Senate Bill 643**

Relating to trout fishing stamps.

By joint committee on Finance, by request of committee on Improved Expenditure Management.

Read first time.

To committee on Conservation.

**Senate Bill 644**

Relating to pheasant hunting stamps.

By joint committee on Finance, by request of committee on Improved Expenditure Management.

Read first time.

To committee on Conservation.

JOURNAL OF THE SENATE [May 2, 1966]

**Senate Bill 645**

Relating to maintenance of patients in state and county hospitals.

By joint committee on Finance by request of committee on Improved Expenditure Management.

Read first time.

To committee on Public Welfare.

**Senate Bill 646**

Relating to the administration of welfare services.

By joint committee on Finance, by request of committee on Improved Expenditure Management.

Read first time.

To committee on Public Welfare.

**Senate Bill 647**

Relating to the liability for care at the state colonies and training schools.

By joint committee on Finance, by request of committee on Improved Expenditure Management.

Read first time.

To committee on Public Welfare.

**Senate Bill 648**

Relating to fees in connection with vital statistics records.

By joint committee on Finance, by request of committee on Improved Expenditure Management.

Read first time.

To committee on Public Welfare.

**Senate Bill 649**

Relating to settlement between state and counties for maintenance of tuberculosis patients.

By joint committee on Finance, by request of committee on Improved Expenditure Management.

Read first time.

To committee on Public Welfare.

**Senate Bill 650**

Relating to motor vehicle registration plates.

By joint committee on Finance, by request of committee on Improved Expenditure Management.

Read first time.

To committee on Highways.

JOURNAL OF THE SENATE [May 2, 1966]

**Senate Bill 651**

Relating to stolen vehicle reports.

By joint committee on Finance, by request of committee on Improved Expenditure Management.

Read first time.

To committee on Highways.

**Senate Bill 652**

Relating to 12 monthly registration periods for motor vehicles.

By joint committee on Finance, by request of committee on Improved Expenditure Management.

Read first time.

To committee on Highways.

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**EXECUTIVE COMMUNICATIONS**

The State of Wisconsin

Executive Office

Madison 53702

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Dr. Richard Bardwell, Sr., of Madison, a member of the State Commission on Aging, to succeed himself, for the term ending October 22, 1969.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

November 24, 1965.

The foregoing appointment by the Governor was referred to the committee on Public Welfare.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Monsignor Norbert P. Dall, of La Crosse, a member of the State Commission on Aging, to

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succeed Stanley J. Gregory, for the term ending October 22, 1969.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

November 24, 1965.

The foregoing appointment by the Governor was referred to the committee on Public Welfare.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Dr. Ralph C. Frank, of Eau Claire, a member of the State Board of Health, to succeed Dr. Harold A. Bachhuber, for the term ending the first Monday in February, 1969.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

February 14, 1966.

The foregoing appointment by the Governor was referred to the committee on Public Welfare.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Dr. John H. Houghton, of Wisconsin Dells, a member of the State Board of Health, to succeed Dr. Edward Vig, for the term ending the first Monday in February, 1973.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

February 14, 1966.

The foregoing appointment by the Governor was referred to the committee on Public Welfare.

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To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Dr. Patricia F. Lanier, of Kewaunee, a member of the State Commission on Aging, to succeed herself, for the term ending October 22, 1969.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

November 24, 1965.

The foregoing appointment by the Governor was referred to the committee on Public Welfare.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint David H. Bennett, of Portage, a member of The Board of Regents of State Colleges, to succeed Donald E. Bonk, for the term ending the first Monday in February, 1971.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

January 28, 1966.

The foregoing appointment by the Governor was referred to the committee on Education.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Siinto S. Wessman, of Superior, a member of The Board of Regents of State Colleges, to succeed Elizabeth Hawkes, for the term ending the first Monday in February, 1971.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

January 28, 1966.

JOURNAL OF THE SENATE [May 2, 1966]

The foregoing appointment by the governor was referred to the committee on Education.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Bernard C. Ziegler, of West Bend, a member of The Board of Regents of the University of Wisconsin, to succeed Carl E. Steiger, for the term ending May 1, 1975.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

February 25, 1966.

The foregoing appointment by the Governor was referred to the committee on Education.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Alfred Wall, of Sparta, a member of the Banking Review Board, to succeed Bernard J. Lontkowski, for the term ending the first Monday in January, 1971.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

Januray 5, 1966.

The foregoing appointment by the Governor was referred to the committee on Labor, Taxation, Insurance and Banking.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Harry J. Blakeman, of Hudson, a member of the Minnesota-Wisconsin Boundary Area Commission, in accordance with and subject to the limitations

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contained in Chapter 274, Laws of 1965, for the term ending September 25, 1969.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

November 24, 1965.

The foregoing appointment by the Governor was referred to the committee on Governmental and Veteran's Affairs.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint John Bosshard of La Crosse, a member of the Minnesota-Wisconsin Boundary Area Commission, in accordance with and subject to the limitations contained in Chapter 274, Laws of 1965, for the term ending September 25, 1970.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

November 24, 1965.

The foregoing appointment by the Governor was referred to the committee on Governmental and Veterans' Affairs.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Walter Jensen, of Grantsburg, a member of the Minnesota-Wisconsin Boundary Area Commission, in accordance with and subject to the limitations contained in Chapter 274, Laws of 1965, for the term ending September 25, 1968.

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

November 24, 1965.

The foregoing appointment by the Governor was referred to the committee on Governmental and Veterans' Affairs.

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To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Alan Kirchner, of Alma, a member of the Minnesota-Wisconsin Boundary Area Commission, in accordance with and subject to the limitations contained in Chapter 274, Laws of 1965, for the term ending September 25, 1967.

Respectfully submitted,

**WARREN P. KNOWLES,**  
Governor.

November 24, 1965.

The foregoing appointment by the Governor was referred to the committee on Governmental and Veterans' Affairs.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Ralph Most, Jr., of Prescott, a member of the Minnesota-Wisconsin Boundary Area Commission, in accordance with and subject to the limitations contained in Chapter 274, Laws of 1965, for the term ending September 25, 1966.

Respectfully submitted,

**WARREN P. KNOWLES,**  
Governor.

November 24, 1965.

The foregoing appointment by the Governor was referred to the committee on Governmental and Veterans' Affairs.

**Senate Bill 35**

Relating to parental signature on motor vehicle registration application by minors under 18 years of age.

And

**Senate Bill 595**

Relating to exempting the first \$1,000 of servicemen's and reservists' income from taxation.

Which bills had been received vetoed by the Governor, were referred to the calendar.

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The State of Wisconsin  
Executive Office  
Madison 53702

April 29, 1966.

Mr. William Nugent  
Chief Clerk of the Senate  
243 South, State Capitol  
Madison, Wisconsin

Dear Sir: I request permission of the senate to appear before a joint session of the Legislature on Tuesday, May 3, at 10:00 a.m., and again on Thursday, May 5, at 11:00 a.m.

WARREN P. KNOWLES,  
Governor.

The request of the Governor was granted, upon motion of Senator Knowles, with unanimous consent

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MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in

Assembly Bill 195,  
Assembly Bill 244,  
Assembly Bill 290,  
Assembly Bill 383,  
Assembly Bill 407,  
Assembly Bill 411,  
Assembly Bill 416,  
Assembly Bill 460,  
Assembly Bill 469,  
Assembly Bill 507,  
Assembly Bill 687,  
Assembly Bill 699,  
Assembly Bill 769,  
Assembly Bill 777,  
Assembly Bill 810,  
Assembly Bill 813,  
Assembly Bill 814,

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**Assembly Bill 824,**  
**Assembly Bill 838,**  
**Assembly Bill 859,**  
**Assembly Bill 918,**  
**Assembly Bill 950,**  
**Assembly Bill 956,**  
**Assembly Bill 965,**  
**Assembly Bill 974,**  
**Assembly Bill 987,**  
**Assembly Bill 989,**  
**Assembly Bill 990,**  
**Assembly Bill 991,**  
**Assembly Bill 996,**  
**Assembly Bill 1006,**  
**Assembly Bill 1007,**  
**Assembly Bill 1008,**  
**Assembly Bill 1009,**  
**Assembly Bill 1010 and**  
**Assembly Bill 1034 and has**

**Adopted and asks concurrence in**  
**Assembly Joint Resolution 95,**  
**Assembly Joint Resolution 129,**  
**Assembly Joint Resolution 130,**  
**Assembly Joint Resolution 133,**  
**Assembly Joint Resolution 135,**  
**Assembly Joint Resolution 140 and**  
**Assembly Joint Resolution 142 and has**

**Amended and concurred in as amended**  
**Senate Bill 43 and has**

**Non-concurred in**  
**Amendment No. 1, S. to Assembly Bill 303 and**  
**Amendment No. 1, S. to Assembly Bill 836.**

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ASSEMBLY MESSAGE CONSIDERED

Read first time and referred :

**Assembly Bill 195**

To committee on Education.

**Assembly Bill 244**

To committee on Public Welfare.

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**Assembly Bill 290**

Read first time.

Senator Schreiber asked unanimous consent that the bill be referred to the calendar.

Senator Leverich objected.

The bill was referred to the committee on Labor, Taxation, Insurance and Banking.

Read first time and referred:

**Assembly Bill 383**

To committee on Governmental and Veterans' Affairs.

**Assembly Bill 407**

To committee on Labor, Taxation, Insurance and Banking.

**Assembly Bill 411**

To committee on Conservation.

**Assembly Bill 416**

To committee on Labor, Taxation, Insurance and Banking.

**Assembly Bill 460**

To committee on Conservation.

**Assembly Bill 469**

To committee on Public Welfare.

**Assembly Bill 507**

To committee on Labor, Taxation, Insurance and Banking.

**Assembly Bill 687**

To committee on Labor, Taxation, Insurance and Banking.

**Assembly Bill 699**

Read first time.

Senator Hollander asked unanimous consent that the bill be referred to the calendar.

Senator Zaborski objected.

The bill was referred to the committee on Labor, Taxation, Insurance and Banking.

Read first time and referred:

**Assembly Bill 769**

To committee on Public Welfare.

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**Assembly Bill 777**

To committee on Public Welfare.

**Assembly Bill 810**

Read first time.

Senator Schreiber asked unanimous consent that the bill be referred to the calendar.

Senator Knowles objected.

The bill was referred to the committee on Judiciary.

Read first time and referred:

**Assembly Bill 813**

To committee on Judiciary.

**Assembly Bill 814**

To committee on Labor, Taxation, Insurance and Banking.

**Assembly Bill 824**

To committee on Judiciary.

**Assembly Bill 838**

To committee on Conservation.

**Assembly Bill 859**

To committee on Judiciary.

**Assembly Bill 918**

To committee on Governmental and Veterans' Affairs.

**Assembly Bill 950**

To joint committee on Finance.

**Assembly Bill 956**

To committee on Conservation.

**Assembly Bill 965**

To committee on Judiciary.

**Assembly Bill 974**

To committee on Conservation.

**Assembly Bill 987**

To committee on Public Welfare.

**Assembly Bill 989**

To committee on Governmental and Veterans' Affairs.

**Assembly Bill 990**

To committee on Governmental and Veterans' Affairs.

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**Assembly Bill 991**

To committee on Governmental and Veterans' Affairs.

**Assembly Bill 996**

To committee on Judiciary.

**Assembly Bill 1006**

To committee on Education.

**Assembly Bill 1007**

To committee on Public Welfare.

**Assembly Bill 1008**

To committee on Judiciary.

**Assembly Bill 1009**

Read first time.

The bill was referred to committee on Highways, upon motion of Senator Kendziorski, with unanimous consent.

Read first time and referred:

**Assembly Bill 1010**

To committee on Highways.

**Assembly Bill 1034**

To committee on Education.

**Assembly Joint Resolution 95**

Read first time.

To committee on Judiciary.

**Assembly Joint Resolution 129**

Was read.

To committee on Governmental and Veterans' Affairs.

**Assembly Joint Resolution 130**

Was read.

To joint committee on Finance.

**Assembly Joint Resolution 133**

A joint resolution commending the Blackhawk Ski Club of Madison, Wisconsin, and the Snowflake Ski Club of Westby, Wisconsin, for conducting tournaments to select the American team to represent the United States in the 1966 World Championships of Skiing to be held in Oslo, Norway.

Upon motion of Senator Leonard, with unanimous consent, the joint resolution was considered at this time.

Was read.

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The joint resolution was concurred in.  
Ordered immediately messaged to the assembly.

**Assembly Joint Resolution 135**

Was read.

To committee on Governmental and Veterans' Affairs.

**Assembly Joint Resolution 140**

Was read.

To committee on Highways.

**Assembly Joint Resolution 142**

Was read.

To committee on Judiciary.

**Senate Bill 43,**

**Assembly Bill 303 and**

**Assembly Bill 836**

Were referred to the calendar.

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MOTIONS

**Senate Bill 626**

Was recalled from the committee on Conservation and referred to the committee on Governmental and Veterans' Affairs, upon motion of Senator Krueger, with unanimous consent.

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MOTIONS UNDER JOINT RULE 26

Upon motion of Senator Hollander; co-sponsored by Assemblymen Schwefel and McEssy, the Legislative Reference Bureau was directed to prepare a certificate of Congratulations to Robert A. Bird, Town of Byron, Fond du Lac County Farmer, Registered Holstein Breeder, Member of Farm Organizations, Active Churchman, Town Officer, Director and Officer of the American Dairy Association for 15 years upon the occasion of his being appointed the chairman of June Dairy Month for Wisconsin for the year 1966.

The motion was read and adopted.

The senate's action was ordered immediately messaged to the assembly.

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The State of Wisconsin \* \* \* Citation by the Legislature

*Know you by these presents:*

Whereas, the City of La Crosse, Wisconsin, is an All-America City, the 2nd city of Wisconsin to be so honored by the National Municipal League (Green Bay was similarly honored in 1964); and

Whereas, the City of La Crosse was selected for this honor because it demonstrated that adversity can tie a community together, having overcome the serious 1960 blow to its economy caused by the loss of 2 major industries, and the ravages of the 1965 record flood, by a determined "bootstrap" operation, to wit:

Investments of \$30 million in new schools, a hospital, churches, industrial parks, fall festival, civic center and urban renewal; now, therefore,

The Members of the Wisconsin Legislature, on the motion of Senator Raymond C. Bice, co-sponsored by Assemblymen Norbert Nuttelman and D. Russell Wartinbee, under Joint Rule 26, extend to the City of La Crosse, Wisconsin, their congratulations and best wishes for this well-earned recognition.

The Legislative Reference Bureau to prepare said certificate.

Was read.

The motion was adopted.

Ordered immediately messaged to the assembly.

The State of Wisconsin \* \* \* Citation by the Legislature

*Know you by these presents:*

Whereas, Messmer High School of Milwaukee, Wisconsin won the Catholic All-State Prep Basketball Championship in the Milwaukee Arena, Saturday, March 5, 1966.

The Members of the Wisconsin Legislature, on the motion of Senator Norman Sussman, co-sponsored by Assemblyman Ronald G. Parys, under Joint Rule 26, extend to the Messmer High School basketball team and Coach Robert Neja their sincere congratulations for winning their First Catholic All-State Prep Basketball Championship.

The Legislative Reference Bureau to prepare said certificate.

Was read.

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The motion was adopted.

Ordered immediately messaged to the assembly.

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Upon motion of Senator Knowles, with unanimous consent, the senate recessed until 3:15 o'clock this afternoon.

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RECESS

3:15 o'clock P.M.

The senate was called to order by the president.

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TODAY'S CALENDAR

EXECUTIVE COMMUNICATIONS

The question was: Shall the appointment by the Governor of John Roche, of Rio, a member of the Coordinating Committee for Higher Education, to succeed Duane Smith, for the term ending September 30, 1966 be confirmed?

The ayes and noes were required and the vote was: Ayes, 30; Noes, 0; Absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—30.

Noes—None.

Absent or not voting—Senators Carr and Roseleip—2.

So the appointment by the Governor was confirmed.

**Senate Bill 393**

Relating to granting the Department of administration the power to regulate parking on the grounds of any state office building.

The question was: Shall the bill pass notwithstanding the objections of the Governor?

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The ayes and noes were required and the vote was: Ayes, 8; Noes, 23; Absent or not voting, 1; as follows:

Ayes—Senators Bice, Christopherson, Dorman, Kendzior-ski, Keppler, LaFave, Schreiber and Schuele—8.

Noes—Senators Benson, Busby, Dempsey, Draheim, Han-sen, Hollander, Knowles, Krueger, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Smith, Sussman, Thompson, Warren and Zaborski—23.

Absent or not voting—Senator Carr—1.

So the question was decided in the negative.

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### ASSEMBLY MESSAGE CONSIDERED

#### Senate Bill 125

Relating to the board of nursing.

Amendment No. 1, A. was concurred in.

#### Assembly Bill 412

Relating to compulsory vaccination of female calves against Brucellosis.

The question was: Shall the senate concur in the action by which the assembly passed the bill notwithstanding the objections of the Governor?

The ayes and noes were required and the vote was: ayes, 10; noes, 21; absent or not voting, 1; as follows:

Ayes—Senators Benson, Christopherson, Dorman, La-Fave, McParland, Risser, Schuele, Sussman, Thompson and Zaborski—10.

Noes—Senators Bice, Busby, Dempsey, Draheim, Han-sen, Hollander, Kendziorski, Keppler, Knowles, Krueger, Leonard, Leverich, Lorge, Lourigan, Meunier, Panzer, Ras-musen, Roseleip, Schreiber, Smith and Warren—21.

Absent or not voting—Senator Carr—1.

So the question was decided in the negative.

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### CONSIDERATION OF MOTIONS

#### Senate Bill 488

Relating to prohibiting certain practices by municipal employes or their representatives acting individually or in concert.

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The question was: Shall the vote by which the senate refused to order the bill engrossed and read a third time be reconsidered?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 1; as follows:

Ayes—Senators Bice, Draheim, Hollander, Keppler, Knowles, Leonard, Lorge, Panzer, Rasmusen, Roseleip, Smith, Warren and Zaborski—13.

Noes—Senators Benson, Busby, Christopherson, Dempsey, Dorman, Hansen, Kendziorski, Krueger, LaFave, Leverich, Lourigan, McParland, Meunier, Risser, Schreiber, Schuele, Sussman and Thompson—18.

Absent or not voting—Senator Carr—1.

So the question was decided in the negative.

### Assembly Bill 258

Requiring a uniform method of workmen's compensation insurance rating for all employers on a payroll basis.

The bill was laid aside temporarily, upon motion of Senator Knowles, with unanimous consent.

### Assembly Bill 300

Relating to removing conflicts, supplying omissions, personal jurisdiction of juvenile courts, small claims court dockets, jurors and justice fees.

The question was: Shall the vote by which the bill, as amended, was concurred in be reconsidered?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 9; absent or not voting, 2; as follows:

Ayes—Senators Benson, Bice, Busby, Christopherson, Dempsey, Dorman, Hansen, Kendziorski, Keppler, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Rasmusen, Risser, Schreiber, Schuele and Sussman—21.

Noes—Senators Draheim, Hollander, Knowles, Krueger, Panzer, Smith, Thompson, Warren and Zaborski—9.

Absent or not voting—Senators Carr and Roseleip—2.

So the question was decided in the affirmative.

### Assembly Bill 300

The bill was re-referred to the committee on Judiciary, upon motion of Senator Leonard, with unanimous consent.

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### GUESTS INTRODUCED

Senator Zaborski introduced 120 pupils from St. Michaels School, Milwaukee, with their teachers, Sister Marie Rene, Mr. Kuerth and Miss Lisinski, and some of the parents of the pupils as follows: Mrs. Kiedrouski, Mrs. Betty Kreuss, Mrs. Eva Kimmel, Mrs. Helen Schwartz, Mrs. Cathal Kegel, Mrs. Dix, Mrs. Owens, Mrs. Whalen, Mrs. Yago and Mrs. Frohm.

The president welcomed the guests.

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Upon motion of Senator Knowles, the senate adjourned until 9:30 o'clock Tuesday morning, May 3rd, 1966.