THURSDAY, August 12, 1976.

The chief clerk makes the following entries under the above date.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

August 2, 1976.

To the Honorable, the Senate

Senators:

I have the honor to transmit to you pursuant to s. 13.67 (2), the names of the registered lobbyists for the period beginning on July 21, 1976, and ending on August 2, 1976.

Yours very truly,
DOUGLAS LAFOLLETTE
Secretary of State

Name, Address and Occupation of Lobbyist -- Name and Address of Employer -- Subject of Legislation Code Number -- Date of Employment.

Grangaard, Roger, 222 S. Hamilton St., Madison, Wis. 53703, Business Manager -- Wisconsin Laborer's District Council, 222 S. Hamilton St., Madison, Wis. 53703 -- 06, 11, 19, 23, 30, 07, 17, 21, 28 -- July 27, 1976.

Note the following Cancellations:

For the Wisconsin Education Association Council, as of July 28, 1976:

R. Michael Brennan
Bruce Oradei
Carolyn Armagost
Frank Burdick
Ruby Jackson
George Williams

Marvin P. Verhulst; Wisconsin Canners and Freezers Association, as of July 31, 1976.

Jeffrey J. Jansen; Local 55 AFSCME, as of August 2, 1976.

Robert M. Carnes; Christian Science Committee on Publication for Wisconsin, as of August 2, 1976.

Legislative Subject Identification

Code	Subject
01	*Agriculture, horticulture, farming & livestock*
02	*Amusements, games, athletics and sports*
03	*Banking, finance, credit and investments*
04	*Children, minors, youth & senior citizens*
05	*Church & Religion*
06	*Consumer Affairs*
07	*Ecology, environment, pollution, conservation, zoning, land & water use*
08	*Education*
09	*Elections, campaigns, voting & political parties*
10	*Equal rights, civil rights & minority affairs*
11	*Government, financing, taxation, revenue, budget, appropriations, bids, fees & funds*
12	*Government, county*
13	*Government, federal*
14	*Government, municipal*
15	*Government, special districts*
16	*Government, state*
17	*Health services, medicine, drugs and controlled substances, health insurance & hospitals*
18	*Higher education*
19	*Housing, construction & codes*
20	*Insurance (excluding health insurance)*
21	*Labor, salaries and wages, collective bargaining*
22	*Law enforcement, courts, judges, crimes & prisons*
23	*Licenses & permits*
24	*Liquor*
25	*Manufacturing, distribution & services*
26	*Natural resources, forests and forest products, fisheries, mining & mineral products*
27	*Public lands, parks & recreation*
28	*Social insurance, unemployment insurance, public assistance & workmen's compensation*
29	*Transportation, highways, streets & roads*
30	*Utilities, communications, television, radio, newspapers, power, CATV, & gas*
31	*Other*

State of Wisconsin
Claims Board

August 10, 1976

Mr. Glenn Bultman
Senate Chief Clerk
State Capitol
Madison, Wisconsin

Dear Mr. Bultman:

Enclosed is a copy of the report of the State Claims Board covering the claims heard on July 13, 1976.

The amounts recommended for payment under $1,000 on claims included in this report have, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,
EDWARD MAIN
Secretary

BEFORE THE CLAIMS BOARD OF WISCONSIN

The Claims Board conducted hearings at the State Capitol Building, Madison, Wisconsin, on July 13, 1976, upon the following claims:

	Claimant	*Amount*
1.	Walter Trianoski	$4638.40
2.	Dick Warner	150.00
3.	Bingham Hardware Company, Inc.	300.00
4.	Loretta Robert	65.75
5.	Diane Mason	60.00
6.	Lynn Eldred	20.80
7.	Helen VandeZande	31.35
8.	Joan Idzik	50.72
9.	Dorothy Henneman	100.36
10.	Patrick Frye	26.00

THE BOARD FINDS:

1. *Walter Trianoski*

Walter Trianoski, Superior, Wisconsin, claims $4638.40 in legal fees incurred to defend himself against criminal charges brought against him in a complaint signed by an investigator with the Wisconsin Department of Justice. Claimant also seeks reimbursement for two days at his regular salary to compensate him for the time lost to attend the hearing in this matter. The criminal complaint was filed as the result of an investigation by the Department of Justice of the Superior Office of the Division of Vocational Rehabilitation after an audit by the Legislative Audit Bureau.

The claimant's defense was that he was simply following the directives and procedures of his supervisor who was convicted on a similar charge after entering a plea of no contest.

At a predisciplinary meeting on November 5, 1975, claimant was advised by counsel not to explain away any charges to avoid the possibility of prejudicing or uncovering his defense at the criminal trial. The claimant had previously pled the Fifth Amendment at the John Doe hearing, which of course, was his constitutional right. He never fully explained his position until his trial.

Although found not guilty, the Board is of the opinion that there was sufficient evidence to demonstrate that when the charges were made there was reasonable cause to believe the alleged crimes had been committed. The Board finds it would serve no useful purpose to repeat the details of this evidence now. The investigator did not act in a malicious or arbitrary manner in making the charges, but was acting reasonably on the basis of the information available to him. This finding is supported by the decisions of two separate judges who concluded there was probable cause, resulting in the claimant being bound over for trial.

There is no statutory authority which creates a legal liability to furnish legal services or the expenses therefore to the claimant. Section 165.25 (6), Stats., and sec. 270.58, Stats., are not applicable to criminal cases, nor is there any record of a request to furnish such legal services.

Consequently, the Board concludes the claim is not one for which the State is legally liable, nor one which it should assume and pay on equitable principles.

2. *Dick Warner*

Dick Warner, Stone Lake, Wisconsin, claims reimbursement for legal fees of $125 plus $25 interest incurred for representation at a John Doe hearing on October 1, 1974, related to the facts in claim (1) above. Claimant alleges the legal services were necessitated by the coercive and threatening tactics of an investigator from the Department of Justice who served him with a subpoena on September 27, 1974, to appear at the John Doe hearing. No charges were made against claimant, but he had information relating to the investigation. The Board finds that the investigator identified himself in a reasonable manner, and no evidence was presented that he coerced or threatened the claimant. The fact that the investigator showed his badge and identification papers to the claimant should not have posed a threat to the claimant, although it is understandable that being served a subpoena to testify at a John Doe hearing could be an upsetting experience. However, this experience (and attending attorney fees) does not give rise to a valid claim for which the State is legally liable, nor one which the State should assume and pay on equitable principles.

3. *Bingham Hardware Company, Inc.*

Bingham Hardware Company, Inc., Superior, Wisconsin, claims $300 for attorney fees incurred between October 15, 1974, and December 13, 1974, arising out of the John Doe investigation referred to in claims (1) and (2) above. Claimant alleges it was forced to seek legal services because of false accusations, harassment and threats by State investigators. No charges were made against claimant, but it had information relating to the investigation. There was no evidence that claimant's allegations are valid, and the Board concludes the claim is not one for which the State is legally liable, nor one which the State should assume and pay on equitable principles.

4. *Loretta Robert*

Loretta Robert, Chippewa Falls, Wisconsin, claims $65.75 to replace her glasses which were broken on August 2, 1975, when she caught her toe and fell at the Northern Colony cottage #3 servery where she worked. The Department of Health and Social Services has corrected the faulty condition of the floor. The Board concludes the claim should be paid on equitable principles.

5. *Diane Mason*

Diane Mason, Milwaukee, Wisconsin, claims $60.00 for a coat taken form her place of employment at the Bureau of Probation and Parole on October 20, 1975. Claimant has reported the loss to

the police. Claimant believes the loss can be attributed to the nature of her employment. The Board finds that reasonable facilities were made available to her for storing her coat during working hours, and that there is no showing of negligence by the State of its employees resulting in her loss. The Board concludes the claim is not one for which the State is legally liable, nor one which the State should assume and pay on equitable principles.

6. *Lynn Eldred*

Lynn Eldred, Madison, Wisconsin, claims $20.80 for damages to her car on May 22, 1975, caused by a child who was in her custody as an employee of the Derrfield Group Home, which is under contract with the Department of Health and Social Services. Claimant was employed by the State to transport the child, and aware of the child's condition. The Board concludes the claim is one for which the State is not legally liable, nor one for which the State should assume and pay on equitable principles.

7. *Helen VandeZande*

Helen VandeZande, Brandon, Wisconsin, claims $31.25 for damages to her fence on December 30, 1974, caused by two inmates at the Wisconsin State Prison who had stolen a truck and were on escape status. There is no showing of negligence by the State or its employees, and the Board concludes the claim is one for which the State is not legally liable, nor one which the State should assume and pay on equitable principles. (Riemer dissents)

8. *Joan Idzik*

Joan Idzik, Fond du Lac, Wisconsin, claims $52.72 for damages to her car on July 6, 1975, at the Wisconsin Home for Women. Claimant is an employee of the institution. The guard closed the gate on her car, which should not have been as far advanced through the gate, according to institution procedures for entering. The Board concludes the claim is not one for which the State is legally liable, nor one which the State should assume and pay on equitable principles.

9. *Dorothy Henneman*

Dorothy Henneman, Chippewa Falls, Wisconsin, claims $100.36 for car damages caused by a ward of the State in its custody at Northern Colony on August 15, 1975. The Board concludes the claim should be paid on equitable principles.

10. *Patrick Frye*

Patrick Frye, Kenosha, Wisconsin, claims $26.00 for damages to his car on September 3, 1975, caused by a resident of Southern

Colony in his custody on a camping trip to Jellystone Park at Caledonia, Wisconsin. Claimant is a teacher at Southern Colony and was aware of the resident's condition, and a majority of the Board finds that the claimant could have taken steps to avoid the incident which caused the damage. The Board concludes the claim is not one for which the State is legally liable, nor one which the State should assume and pay on equitable principles. (Hubbard dissents)

THE BOARD CONCLUDES:

The claims of the following claimants should be denied:

Walter Trianoski
Dick Warner
Bingham Hardware Company, Inc.
Diane Mason
Lynn Eldred
Helen VandeZande (Riemer dissents)
Joan Idzik
Patrick Frye (Hubbard dissents)

The payment to the following claimants in the following amounts, respectively, is justified under sec. 16.007 (6), Wis. Stats.:

Loretta Robert---------- $ 65.75
Dorothy Henneman---------- 100.36

Dated at Madison, Wisconsin, this 30th day of July, 1976.

GERALD D. KLECZKA
Senate Finance Committee

GEORGE MOLINARO
Assembly Finance Committee

DAVID RIEMER
Representative of Governor

EDWARD D. MAIN
Representative of Secretary of Administration

ALLAN P. HUBBARD
Representative of Attorney General

State of Wisconsin
Department of Justice
Madison

March 24, 1976

The Honorable Fred A. Risser, Chairman
Senate Organization Committee
State Capitol
Madison, Wisconsin

Dear Senator Risser:

On behalf of the Senate Organization Committee you forwarded to me on January 28, 1976, a request for a formal opinion on the enforcement of the statutes pertaining to automobile registration and driver's license requirements. This request arises from a case brought to the attention of your committee by Senator Robert P. Knowles.

It is apparent from the materials submitted to me with your request that the question you pose arises from pending litigation. It has long been a policy of this office not to provide formal opinions in such situations.

It is also difficult to respond to this particular opinion request since it involves matters pertaining to the exercise of prosecutorial discretion and unresolved factual questions which would ultimately determine the result. These circumstances too cause me to be reluctant to issue a formal opinion in this instance or others of a like kind.

As I have discussed with you before, the volume of formal opinion requests made to this office has been increasing substantially. We shall, of course, endeavor to respond to these requests with legal opinions of high quality. In this regard I am particularly concerned that we respond promptly and effectively to opinion requests from fellow constitutional officers and the legislature. Nevertheless, I am forced in circumstances where there is pending litigation and unresolved factual questions to decline to offer an opinion. By calling these considerations to your attention I am hopeful that you and your colleagues will exercise some restraint and limit your requests for formal opinions to matters involving legal questions of statewide or general significance.

Without minimizing the foregoing, but in an effort to be helpful to the greatest extent possible, I am offering the following comments on the problems posed to your committee by Senator Knowles. He advises that a student at the University of Wisconsin -- River Falls who regards himself as a resident of Minnesota and is attending the University on a reciprocity arrangement has been cited for nonregistration of his automobile in Wisconsin contrary to sec. 341.04 (1), Stats. This individual is married and he and his wife live in River Falls. The student's wife is employed in River Falls. He attends school on a year round basis and intends to do so until his graduation. Both he and his wife presently intend to return to Minnesota and take up permanent residence there after his graduation.

As Senator Knowles' letter to your committee acknowledges, the Department of Transportation regards the decision to prosecute in such matters as a matter of discretion for the local prosecutor. I cannot comment usefully in this regard except to note that the prosecutor would not be abusing his discretion to defer to the suggestion of leniency urged by the Department of Transportation in matters such as this.

The critical issue in this matter is whether or not the River Falls student is a resident of Wisconsin. Section 341.04 (2), Stats., exempts from the Wisconsin registration requirements vehicles "operated in accordance with the provisions exempting non-residents or foreign-registered vehicles from registration." In this case, the student's automobile is currently registered in the state of Minnesota. That vehicle would be exempt from registration in Wisconsin under sec. 341.40 (1), Stats., if it is owned by a non-resident." The question of residency is essentially one of fact and cannot be resolved ultimately except through litigation. General guidelines have been formulated for the assessment of the facts in cases such as this. One helpful formulation is found in 5 OAG 635-636 (1916):

> "It is true, of course, that the question of residence is largely a matter of intention accompanied by actual habitation in the state. One who comes into this state and establishes here a place of abode, with the present intention of remaining here indefinitely or without a present intention of going elsewhere, becomes a resident. One, however, who comes here with the intention of remaining temporarily only for some temporary purpose and with the intention of returning to the state from which he comes, does not become

a resident of this state but remains a resident of the state from which he comes and to which he intends to return."

From the facts presented to your committee by Senator Knowles, it certainly would not be erroneous to conclude that the individual in question is a non-resident of Wisconsin and a resident of Minnesota at the present time. If the district attorney were of a like view, it would not be an abuse of discretion on his part to decline a prosecution based upon these facts. If a prosecution were pursued, the matter would be for the court to resolve but, based on these facts, a finding of non-residency would be well within the evidence.

Sincerely yours,
BRONSON C. LA FOLLETTE
Attorney General

State of Wisconsin
Department of Justice
Madison

March 24, 1976

The Honorable Fred A. Risser, Chairman
Senate Organization Committee
State Capitol
Madison, Wisconsin

Dear Senator Risser:

You have written on behalf of the Senate Organization Committee to ask two questions concerning a libel suit filed against Senator Dale McKenna. First, you wish to know whether the Senate Organization Committee may pay legal fees incurred by Senator McKenna as a result of the suit; and second, you ask whether the Department of Justice may defend Senator McKenna in that action.

In my opinion Senator McKenna's legal fees may be paid pursuant to sec. 270.58 (1), Stats., which provides, in material part, as follows:

"Where the defendant in any action or special proceeding is a public officer or employee and is proceeded against as an individual because of acts committed while carrying out his duties as an officer or employee and the jury or court finds that such defendant was acting within the scope of his employment the judgement as to damages and

costs entered against the officer or employee shall be paid by the state or political subdivision of which he is an officer or employee. Regardless of the results of the litigation the governmental unit, when it does not provide legal counsel to the defendant officer of employee, shall pay reasonable attorney's fees and costs of defending the action, unless it is found by the court or jury that the defendant officer or employee did not act within the scope of his employment. Failure by the officer or employee to give notice to his department head of [the] action or special proceeding commenced against him as soon as reasonably possible shall be a bar to recovery by the officer or employee from the state or political subdivision of reasonable attorney's fees and costs of defending the action. Such attorney's fees and expenses shall not be recoverable if the state or political subdivision offers the officer or employee legal council and such offer is refused by the defendant officer or employee..."

As a duly elected member of the Legislature, Senator McKenna is a state officer within the meaning of the statute. In re Anderson (1916), 164 Wis. 1, 159 N.W. 559. By advising your committee of this law suit, Senator McKenna satisfied the notice requirement upon which the payment of legal fees and costs is conditioned.

A further condition of payment of these fees is that the conduct giving rise to the cause of the action not be found to be beyond the scope of Senator McKenna's employment as a public officer. While this is an issue which may have to be resolved ultimately by the court, I believe there are ample grounds for concluding that the conduct complained of was undertaken within the scope of Senator McKenna's official duties. Art. IV, Sec. 1, Wis. Const., provides that "the legislative power shall be vested in a senate and assembly". The law making function in a representative government is inseparable from knowledge of the problems and needs of the electorate. Through communication with constituents, legislators are informed of subject matter upon which legislation is required and of the effectiveness of existing laws and their administration. The suit against Senator McKenna followed a visit he made to a nursing home in his district, and public disclosures of conditions he observed at the home. Senator McKenna went to the home at the request of a constituent. In this way the suit grew out of the Senator's duty as a legislator to respond to the needs of the citizens in his district.

A further condition to payment of legal fees and costs under sec. 270.58 (1), Stats., is the denial of legal counsel to Senator McKenna by the State. Such legal counsel, if available at all, would have been provided by the Department of Justice. Any authorization to the Department of Justice to provide such counsel must be found from the provisions of sec. 165.25 (6), Stats.

The action against Senator McKenna was commenced on November 28, 1973. At that time the authority of the Attorney General to defend state employees was limited to tort actions brought against employees of the state "charged with the enforcement of law, or the custody of inmates of state institutions or prosecution for violation of law..." Sec. 165.25 (6), Stats. (1971). The authority to provide a defense did not extend to public officials and excluded causes of action such as that being maintained against Senator McKenna. Accordingly, in Senator McKenna's case the Attorney General was without authority to defend and therefore it should be deemed that Senator McKenna was refused a defense by the State. Moreover, Senator McKenna was so advised informally by this department at the time the action against him was commenced.

Section 165.25 (6), Stats, was amended by chapter 333, Laws of 1973, effective June 28, 1974, and now authorizes the Attorney General to provide a defense for "any state officer or employee". However, a defense under this provision may be afforded only "at the request of the head of any department of state government, ...". A department is generally regarded as any agency of the Executive Branch. Sec. 15.01 (1), Stats. There is, therefore, some doubt whether sec. 165.25 (6), Stats. affords the Attorney General authority to defend a member of the Legislature. However, it is not necessary to resolve this issue in the context of your inquiry because the Attorney General clearly had no authority to provide defense to Senator McKenna at the time the action against him was commenced.

There is precedent for paying the legal fees of a member of the Legislature in cases such as this. In 1972, the Assembly Organization Committee authorized payment of legal fees for two representatives who were sued for libel. Payment was authorized under sec. 270.58 (1), Stats. It is my opinion that Senator McKenna is likewise entitled to recover the cost of his defense from the state.

Sincerely yours,
BRONSON C. LA FOLLETTE
Attorney General

The State of Wisconsin
Department of Justice
Madison

July 15, 1976

The Honorable Fred A. Risser, Chairman
Senate Organization Committee
State Capitol
Madison, Wisconsin

Dear Senator Risser:

I have your July 9 letter requesting an opinion on the Madison Redevelopment Authority's statutory powers. Your question reads:

> Assuming that the Madison Redevelopment Authority, in cooperation with the City of Madison, designates a redevelopment or urban renewal area, and assuming that throughout the process of condemning and acquiring the included parcels and improvements all statutory requirements applicable to this project are met, and assuming that within the project area there is a small percentage of the total number of parcels and improvements that are clearly not in and of themselves blighted or deteriorated; does the Madison Redevelopment Authority have the statutory power to condemn and acquire these properties as part of the renewal project?

The Madison Redevelopment Authority is created and functions under the provisions of sec. 66.431, Stats. Under sec. 66.431 (5) (a) 3., Stats., a redevelopment authority has the power "within the boundaries of the city to acquire by purchase, lease, eminent domain, or otherwise, any real or personal property or any interest therein, together with any improvements thereon, *necessary or*

incidental to a redevelopment or urban renewal project. ..." (Emphasis added.)

Assuming that the Redevelopment Authority properly proceeds under sec. 66.431, Stats., to satisfy all statutory and other legal requirements necessary to establish a project area and implement a redevelopment plan therefore, it is my opinion that the Redevelopment Authority may proceed to condemn any property within the project area even though some portions of the urban renewal area is not in fact blighted.

The leading case on the subject is *Berman v. Parker* (1954), 348 U.S. 26, 99 L.Ed. 27. In that case the U.S. Supreme Court clearly stated:

> "... Property may of course be taken for this redevelopment which, standing by itself, is innocuous and unoffending. But we have said enough to indicate that it is the need of the area as a whole which Congress and its agencies are evaluating. If owner after owner were permitted to resist these redevelopment programs on the ground that his particular property was not being used against the public interest, integrated plans for redevelopment would suffer greatly. The argument pressed on us is, indeed, a plea to substitute the landowner's standard of the public need for the standard prescribed by Congress. But as we have already stated, community redevelopment programs need not, by force of the Constitution, be on a piecemeal basis--lot by lot, building by building.
>
> "It is not for the courts to oversee the choice of the boundary line nor to sit in review on the size of a particular project area. Once the question of the public purpose has been decided, the amount and character of land to be taken for the project and the need for a particular tract to complete the integrated plan rests in the discretion of the legislative branch. ..." 348 U.S., pp. 35-36.

The last sentence above was quoted with approval by the Wisconsin Supreme Court in *Kamrowski v. State* (1966), 31 Wis. 2d 256, 266-267, 142 N.W. 2d 793, 798, and other courts, including ours, have reached conclusions similar to that in *Berman.* See 45 A.L.R. 3d 1096, 1110, sec. 4; 40 Am. Jur. 2d 1073, sec. 18; *David Jeffrey Co. v. Milwaukee* (1954), 267 Wis. 559, 585, 66

N.W. 2d 362; *State ex rel. Milwaukee v. Circuit Court* (1958), 3 Wis. 2d 439, 449, 88 N.W. 2d 339.

Thus, in *David Jeffrey Co. v. Milwaukee, supra,* in sustaining the Blighted Area Law, sec. 66.43, Stats., a blight elimination law similar to sec. 66.431, Stats., granting to cities the power to acquire by eminent domain any real property "necessary or incidental to a redevelopment project," our court upheld the authority of cities to condemn bare or vacant land for such purposes, concurring with the view expressed by the trial court, that:

> "Here again it is to be noted that the law is directed against slum and blighted *areas*, not individual structures. It must be presumed that the legislature believed that the evils resulting from blight are inherent not in the particular structures but in the entire blighted area as a whole. ... The necessity for acquiring vacant parcels and unoffending buildings within a blighted area to effectuate a sound workable plan of redevelopment is obvious.
>
> "... It is apparent, however, that to single out and except from the provisions of the law vacant land and unoffending structures would render the whole program of blighted-area redevelopment futile and ineffective. ..." 267 Wis., p. 585.

And in *State ex rel. Milwaukee v. Circuit Court, supra,* at p. 449, the court stated:

> "... The Blighted Area Law places wide discretion in the city council as to what properties should be included in this redevelopment project. See sec. 66.43 (3) (j) 1 and 2, Stats. Not only are properties to be included which are '*necessary*' for either the proper clearance, or the redevelopment, of the area but also those which are '*incidental*' to either of such purposes. Sec. 66.43 (3) (j) 2.
>
> "If it be essential that certain presently nonoffending structures, or vacant parcels, be included in the area to be acquired and redeveloped as a condition precedent to obtaining federal financing of the project, the taking of them would at least be '*incidental*' to the taking and redevelopment of those offending properties already constituting a slum area. ..."

It is my opinion that our court would follow the rationale of the foregoing decisions in concluding that the existence of unblighted properties within a redevelopment or urban renewal area is not, in and of itself, fatal to the exercise of authority under sec. 66.431, Stats.

Sincerely yours,
BRONSON C. LA FOLLETTE
Attorney General

CAPTION:

Assuming a Redevelopment Authority properly proceeds under sec. 66.431, Stats., to satisfy all statutory and other legal requirements necessary to establish a project area and implement a redevelopment plan therfore, it may proceed to condemn any property within the project area even though some portions of the urban renewal area are not in fact blighted.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

July 22, 1976.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Jack Rice, of Racine, as a member of the Vocational, Technical and Adult Education Board, to succeed Wayne Wood, resigned, to serve for the term ending May 1, 1981.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Education.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

August 3, 1976.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advise and consent of the senate do appoint Donald Kirn, of Willard, as a member of the Snowmobile Recreational Council, to succeed Bob Matteson, resigned, to serve for the term ending May 1, 1977.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Natural Resources.

MOTIONS UNDER SENATE RULE 96

A certificate of Commendation for JOHN H. ATWOOD by Senator Cullen on the occasion of "John Atwood Day".

A certificate of commendation for the HONORABLE PEDRO JOAQUIN BUSTAMENTE M., Mayor of Bluefields, Nicaragua, on the occasion of his reception at Wingspread, Racine.

A certificate of congratulations for MINNIE SIEVERT by Senator McKenna and Representative Wackett, on the occasion of her 100th birthday.

Read and adopted enmasse.