

and for a public necessity including property owned by other municipal corporations and political subdivisions *and including any street, highway, park, parkway or alley, provided that no state trunk, county trunk, or town highway shall be so acquired without the prior consent of the state highway commission, the county board of supervisors and the town board in the case of a state trunk highway, the county board of supervisors and the town board in the case of a county trunk highway, or the governing body of the town, city or village in the case of a town highway or village or city street, as the case may be. Whenever any such street, highway, park, parkway, or alley shall be so acquired, it may, notwithstanding any other provision of law, be vacated and closed by resolution of the governing body of the county, city, village or town acquiring it.*

Approved July 18, 1945.

No. 131, S.]

[Published July 25, 1945.

CHAPTER 490.

AN ACT to renumber chapter 111 to be subchapter I thereof; to create 20.57 (10) and subchapter II of chapter 111 of the statutes, relating to fair employment and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.57 (10) of the statutes is created to read:

20.57 (10) FAIR EMPLOYMENT. Annually, beginning July 1, 1945, \$5,000 for the administration of subchapter II of chapter 111.

SECTION 2. Chapter 111 of the statutes is renumbered subchapter I of said chapter:

SECTION 3. Subchapter II of chapter 111 of the statutes is created to read:

SUBCHAPTER II OF CHAPTER 111 FAIR EMPLOYMENT

111.31 DECLARATION OF POLICY. (1) The practice of denying employment, and other opportunities to, and discriminating against, properly qualified persons by reason of their race, creed,

color, national origin, or ancestry, is likely to foment domestic strife and unrest, and substantially and adversely affect the general welfare of a state by depriving it of the fullest utilization of its capacities for production. The denial by some employers and labor unions of employment opportunities to such persons solely because of their race, creed, color, national origin, or ancestry, and discrimination against them in employment, tends to deprive the victims of the earnings which are necessary to maintain a just and decent standard of living, thereby committing grave injury to them.

(2) It is believed by many students of the problem that protection by law of the rights of all people to obtain gainful employment, and other privileges free from discrimination because of race, creed, color, national origin, or ancestry, would remove certain recognized sources of strife and unrest, and encourage the full utilization of the productive resources of the state to the benefit of the state, the family, and to all the people of the state.

(3) In the interpretation and application of this chapter, and otherwise, it is declared to be the public policy of the state to encourage and foster to the fullest extent practicable the employment of all properly qualified persons regardless of their race, creed, color, national origin, or ancestry. All the provisions of this chapter shall be liberally construed for the accomplishment of this purpose.

111.32 DEFINITIONS. When used in this chapter:

(1) The term "labor organization" shall include any collective bargaining unit composed of employes.

(2) The term "employes" shall not include any individual employed by his parents, spouse, or child.

(3) The term "employer" shall not include a social club, fraternal or religious association, not organized for private profit.

(4) The term "commission" means the industrial commission of the state of Wisconsin.

(5) The term "discrimination" means discrimination because of race, color, creed, national origin, or ancestry, by an employer individually or in concert with others against any employe or any applicant for employment in regard to his hire, tenure or term, condition or privilege of employment, and by any labor organization against any member or applicant for membership, and also includes discrimination on any of said grounds in the fields of housing, recreation, education, health and social welfare.

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111.33 INDUSTRIAL COMMISSION TO ADMINISTER. Sections 111.31 to 111.38 shall be administered by the industrial commission. The commission shall have authority from time to time to make, amend and rescind such rules and regulations as may be necessary to carry out this chapter. The commission may, by one or more of its members, or by such agents or agencies as it may designate, conduct in any part of this state any proceeding, hearing, investigation, or inquiry necessary to the performance of its functions. The commission shall at the end of every year make a report in writing to the government, stating in detail the work it has done and its recommendations, if any.

111.34 ADVISORY COMMITTEE. The governor shall appoint an advisory committee consisting of 7 members. Two shall be representatives of labor organizations, one to be chosen from each of the 2 major labor organizations of the state, 2 members shall be representatives of business and industrial management, and the remaining 3 members shall be representative of the public at large. The term of members shall be for 3 years. The members of the committee shall elect their own chairman. The commission may refer to such committee for study and advice on any matter relating to fair employment. Such committee shall give consideration to the practical operation and application of this chapter and may report to the proper legislative committee its view on any pending bill relating to the subject matter of this chapter. Members of the committee shall receive no salary or compensation for services on said committee, but shall be entitled to reimbursement for necessary expenses.

111.35 INVESTIGATION AND STUDY OF DISCRIMINATION. The commission shall:

- (1) Investigate the existence, character, causes and extent of discrimination in this state and the extent to which the same is susceptible of elimination.
- (2) Study the best and most practicable ways of eliminating any discrimination found to exist, and formulate plans for the elimination thereof by education or other practicable means.
- (3) Publish and disseminate reports embodying its findings and the results of its investigations and studies relating to discrimination and ways and means of reducing or eliminating it.
- (4) Confer, co-operate with and furnish technical assistance to employers, labor unions, educational institutions and other public or private agencies in formulating programs, educational and otherwise, for the elimination of discrimination.

(5) Make specific and detailed recommendations to the interested parties as to the methods of eliminating discrimination.

(6) Transmit to the legislature from time to time recommendations for any legislation which may be deemed desirable in the light of the commission's findings as to the existence, character and causes of any discrimination.

111.36 COMMISSION POWERS. (1) The commission may receive and investigate complaints charging discrimination or discriminatory practices in particular cases, and give publicity to its findings with respect thereto.

(2) In carrying out the provisions of this subchapter the commission and its duly authorized agents are empowered to hold hearings, subpoena witnesses, take testimony and make investigations in the manner provided in chapter 101. The commission or its duly authorized agents may privilege witnesses testifying before them under the provisions of this subchapter against self incrimination.

111.37 SEPARABILITY. It is the intent of the legislature that the provisions of this act are separable and if any provision shall be held unconstitutional, such decision shall not affect the remainder of this act.

Approved July 17, 1945.

No. 256, S.]

[Published July 25, 1945.]

CHAPTER 491.

AN ACT to create 268.02 (4) of the statutes, relating to issuance of temporary injunctions.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

268.02 (4) of the statutes is created to read:

268.02 (4) No temporary restraining order or injunction shall be issued by any judge or court in any action where it does not appear that the county where the application for such temporary restraining order or injunction is made is within the judicial circuit in which is located the county that is the proper place of trial of the action, and no temporary restraining order or injunction shall issue unless the residence of each defendant is stated if known. Any temporary restraining order or injunction issued in violation of this subsection shall be void.

Approved July 19, 1945.