

No. 859, A.]

[Published August 12, 1953.

**CHAPTER 592**

AN ACT to create a claims commission to hear certain claims against the state presented in bills introduced into the 1953 legislature and to report thereon to the 1953 legislature in recessed session.

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

CLAIMS COMMISSION; CREATION AND FUNCTIONS. (1) There is hereby created a claims commission to hear all claims presented against the state in bills introduced into the 1953 legislative session on which there was no final action due to its recess. The attorney-general and the director of budget and accounts shall be the regular members of the claims commission, and the department head of the department of state government involved in any claim shall act as the third member of the commission.

(2) The commission shall schedule all claims described in sub. (1) for hearings, giving the claimant at least 10 days' written notice of the date, time and place thereof.

(3) The commission shall not be bound by common law or statutory rules of evidence but shall admit all testimony having reasonable probative value, excluding that which is immaterial, irrelevant or unduly repetitious. It may take official notice of any generally recognized fact or established technical or scientific fact; but parties shall be notified either before or during hearing or by full reference in preliminary reports, or otherwise, of the facts so noticed, and they shall be afforded an opportunity to contest the validity of the official notice.

(4) If from its findings of fact the commission concludes that any such claim is one on which the state is legally liable, or one which involves the casual negligence of any officer, agent or employe of the state, or one which on equitable principles the state should in good conscience assume and pay, it shall report such findings, conclusions and recommended awards to the recessed 1953 session of the legislature for its action.

(5) This act shall not be construed as relieving any third party liability or releasing any joint tort-feasor.

(6) Members of the commission shall receive no remuneration for this function beyond their actual and necessary expenses.

Approved July 17, 1953.

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