

STATE OF WISCONSIN

Senate Journal**Seventy-Seventh Session**

WEDNESDAY, January 13, 1965.

12:00 o'clock Noon.

The seventy-seventh session of the legislature of the state of Wisconsin began at Madison, the capital city, on the second Wednesday of January, the 13th day, A.D. 1965, at 12:00 o'clock noon, pursuant to law.

The senate was called to order by the Honorable Patrick J. Lucey, president of the senate.

Prayer, as follows, was offered by the Reverend Robert G. Borgwardt, Senior Pastor of Bethel Lutheran Church of Madison:

O Lord, our God,

We begin this new session this day before Thee with the overwhelming conviction that if we do not begin here, we will begin nowhere. We pray that Thou wilt bless these men chosen by the people of our State, for Thou knowest them—their needs, their fears, their motives and their dreams.

Assure them of Thy loving support, and give them understanding to think and speak with a wisdom which is greater than their own. May they always remember that Thou art concerned with what is said and done in this historic place—and in remembering, be able to stand before Thee with clear conscience and without fear before any man.

In the days ahead, help us all to keep an undisturbed center in our lives so that we may be able to give of our best of mind and heart to the dangerous opportunities of the day.

So help us, God, for Jesus' sake. Amen.

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

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The following communication from the Secretary of State was read by Lawrence R. Larsen, chief clerk of the senate.

The State of Wisconsin
Department of State

To All to Whom These Presents Shall Come:

I, Robert C. Zimmerman, Secretary of State of the State of Wisconsin, do hereby certify that the following is a true and correct list of the members of the Senate of the State of Wisconsin, elected at the General Election held on the Third day of November, A.D. 1964, as appears from the certificate of the Board of State Canvassers and other official certificates on file in this office:

District

- 2nd—Robert W. Warren, 200 W. Briar Lane, Green Bay, Republican
- 4th—Jerris Leonard, 9420 N. Sleepy Hollow Rd., Bayside, Republican
- 5th—Wilfred Schuele, 3036 N. 84th St., Milwaukee, Democratic (Unexpired Term)
- 6th—Martin J. Schreiber, 2528 W. Monroe St., Milwaukee, Democratic
- 8th—Allen J. Busby, 1673 S. 53rd St., Milwaukee, Republican
- 10th—Robert P. Knowles, New Richmond, Republican
- 12th—Clifford W. Krueger, 122 N. State St., Merrill, Republican
- 14th—Gerald D. Lorge, Bear Creek, Republican
- 16th—Carl W. Thompson, Route 3, Stoughton, Democratic
- 18th—Walter G. Hollander, Route 1, Rosendale, Republican
- 20th—Ernest C. Keppler, 909 New York Ave., Sheboygan, Republican

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22nd—Joseph Lourigan, 3604 19th Ave., Kenosha,
Democratic

24th—William C. Hansen, Route 4, Stevens Point,
Democratic

26th—Fred A. Risser, 406 West Shore Drive, Madison,
Democratic

28th—Taylor Benson, 6729 Hwy. 38, Franksville,
Democratic

30th—Reuben LaFave, North Shore Rd., Route 1,
Oconto, Republican

32nd—Raymond C. Bice, 2406 State St., La Crosse,
Republican

(Seal) IN TESTIMONY WHEREOF, I have here-
unto set my hand and affixed my official
seal at the Capitol, in the City of Madison,
this Thirteenth day of January, A.D.,
1965.

ROBERT C. ZIMMERMAN,
Secretary of State.

Upon the calling of the roll of the newly-elected senators,
the following appeared before the bar of the senate and
took and subscribed the oath of office which was adminis-
tered by the president:

Senators Warren, Leonard, Schuele, Schreiber, Busby,
Knowles, Krueger, Lorge, Thompson, Hollander, Keppler,
Lourigan, Hansen, Risser, Benson, LaFave and Bice.

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

Senators Benson, Bice, Busby, Carr, Christopherson,
Dempsey, Draheim, Hansen, Hollander, Kendziorski, Kep-
pler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge,
Lourigan, McParland, Meunier, Miller, Panzer, Rasmusen,
Risser, Roseleip, Schreiber, Schuele, Smith, Sussman,
Thompson, Warren and Zaborski—32.

ELECTION OF PRESIDENT PRO TEMPORE

The senate proceeded to the election of a president pro tempore.

Senator Hollander presented the name of Senator Frank E. Panzer.

Senator Zaborski presented the name of Senator Casimir Kendziorski.

The roll was called and the vote was as follows:

For Senator Panzer—Senators Bice, Busby, Carr, Dempsey, Draheim, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Meunier, Miller, Rasmusen, Roseleip, Smith and Warren—20.

For Senator Kendziorski—Senators Benson, Christopherson, Hansen, Lourigan, McParland, Panzer, Risser, Schreiber, Schuele, Sussman, Thompson and Zaborski—12.

Senator Kendziorski moved that the election of Senator Panzer as president pro tempore be made unanimous.

The motion unanimously prevailed.

The president appointed Senators Hollander and Kendziorski to escort the president pro tempore to the bar where he took and subscribed the oath of office which was administered by the president.

ELECTION OF CHIEF CLERK

The senate proceeded to the election of a chief clerk.

Senator Panzer presented the name of Mr. Lawrence R. Larsen.

Senator Zaborski seconded the nomination of Mr. Larsen.

The roll was called and the vote was as follows:

For Mr. Lawrence R. Larsen—Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Miller, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—32.

Mr. Lawrence R. Larsen was declared elected and he took and subscribed the oath of office which was administered by the president.

ELECTION OF SERGEANT-AT-ARMS

The senate proceeded to the election of a sergeant-at-arms.

Senator Smith presented the name of Mr. Harold E. Damon.

The roll was called and the vote was as follows:

For Mr. Harold E. Damon—Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Miller, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—32.

Mr. Harold E. Damon was declared elected and the president appointed Senators Smith and Zaborski to escort the sergeant-at-arms to the bar where he took and subscribed the oath of office which was administered by the president.

Senator Knowles arose and welcomed the Honorable Patrick J. Lucey, newly elected Lieutenant Governor and president of the senate and pledged support of the majority party for a just and fair session.

Senator Knowles extended a sincere welcome to all of the new members and their families and relatives who were present.

Senator Zaborski likewise arose to welcome the Honorable Patrick J. Lucey, as the newly elected Lieutenant Governor and president of the senate and pledged support of the minority party for a just and fair session.

A further and warm welcome was given by Senator Zaborski to the newly elected members of the senate and their families and relatives who were present.

RESOLUTIONS INTRODUCED

Senate Resolution 1

Providing for the notification of the assembly that the senate is organized.

Resolved by the senate, That the chief clerk be and he is hereby directed to notify the assembly that the senate is now organized by the selection of Senator Frank E. Panzer as president pro tempore, Senator Robert P. Knowles as majority leader, Senator Richard J. Zaborski as minority leader, Mr. Lawrence R. Larsen as chief clerk and Mr. Harold E. Damon as sergeant-at-arms, and is ready to proceed to legislative business.

By Senator Knowles.

Was read.

The resolution was adopted.

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

Senate Resolution 2

Relating to the appointment of a committee on Committees.

Resolved by the senate, That Senators Raymond C. Bice, Jerris Leonard and Jess Miller be and they are hereby constituted a special committee on Committees to report to the senate nominations for the standing committees and the chairman thereof as constituted by rules of the senate, and to assign rooms in the capitol for the use of committees and members, and that this committee also designate seats to be used by members of the senate.

By Senator Knowles.

Was read.

The resolution was adopted.

Senate Resolution 3

Relating to the services of the resident clergy.

Resolved by the senate, That the resident clergy of the state of Wisconsin be and they are hereby respectfully invited to open the sessions of the senate with prayer. The chief clerk is instructed to make the necessary arrangements therefor.

By Senator Knowles.

Was read.

The resolution was adopted.

Senate Resolution 4

Relating to stationery for members and officers.

Resolved by the senate, That the department of administration be and it is hereby requested to supply not exceeding 3,000 sheets of letterhead paper, as requested by each member or officer, with name, address and district of member printed on the paper, and not exceeding 3,000 envelopes with return address printed thereon, to be furnished to each member, the lieutenant governor, the chief clerk and the sergeant-at-arms.

By Senator Knowles.

Was read.

The resolution was adopted.

Senate Resolution 5

Relating to the rules of the senate.

Resolved by the senate, That the senate rules in force at the end of the 1963 regular session be and they are hereby adopted as the rules of the 1965 senate.

By Senator Knowles.

Was read.

The resolution was placed on the calendar of Tuesday, January 19, upon motion of Senator Knowles, with unanimous consent.

Senate Resolution 6

Relating to the continued employment of Lawrence R. Larsen.

WHEREAS, section 66.906 (1) (a) of the statutes requires that written notice of the extension of the period of employment beyond age 65 of participants in the Wisconsin Retirement Fund must be submitted to the Wisconsin Retirement Board by the appointing authority; now, therefore, be it

Resolved by the senate, That pursuant to section 66.906 (1) (a) of the statutes, Lawrence R. Larsen is authorized to continue as chief clerk of the senate until the end of the current term; and, be it further

Resolved, That a copy of this resolution be forwarded to the Wisconsin Retirement Board as notice as required by section 66.906 (1) (a) of the statutes.

By Senator Knowles.

Was read.

The resolution was adopted.

Senate Resolution 7

Relating to the continued employment of Harold E. Damon.

WHEREAS, section 66.906 (1) (a) of the statutes requires that written notice of the extension of the period of employment beyond age 65 of participants in the Wisconsin retirement fund must be submitted to the Wisconsin Retirement Board by the appointing authority; now, therefore, be it

Resolved by the senate, That pursuant to section 66.906 (1) (a) of the statutes, Harold E. Damon is authorized to continue as sergeant-at-arms until the end of the current term; and, be it further

Resolved, That a copy of this resolution be forwarded to the Wisconsin Retirement Board as notice as required by section 66.906 (1) (a).

By Senator Knowles.

Was read.

The resolution was adopted.

Senate Resolution 8

Relating to the appointment of employes of the senate.

Resolved by the senate, upon the recommendation of the Senate Committee on Organization under Senate Rule 87 and until otherwise resolved, That, as of January 13, 1965, the following persons be employed in accordance with Senate Rule 87a until released from employment:

(1) *Staff Assigned to the Chief Clerk.*

Name, Home Address, Position.

Jerome N. Meyer, Waunakee, Record Clerk.

Roger A. Mott, Madison, Journal Clerk.

William Nugent, Madison, Enrolling Clerk.

Alice Moravek, Wisconsin Dells, Index Clerk.

Michael T. Timbers, Madison, Clerk.

Frederic W. Ahrens, Rockdale, Clerk.

J. C. Gamroth, Madison, Clerk.

Robert Hayes, Chetek, Clerk.

R. M. Schlabach, La Crosse, Clerk.

Elsie H. Koch, Prairie du Sac, Stenographer.

Helen S. Grant, Madison, Stenographer.

Lorraine A. Brockhaus, Madison, Stenographer.

Lillian Onsgard, Madison, Stenographer.

Lorna Hall, Madison, Stenographer.

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Ruth Kirby, DeForest, Stenographer.

Peg Tuschen, Sun Prairie, Stenographer.

Jane Jensen, Madison, Typist.

Jane Frederick, Madison, Typist.

(2) Staff Assigned to the Sergeant-at-Arms.

Name, Home Address, Position.

Levander, Harry O., 4221 Yuma Dr., Madison, Assistant Sergeant-at-Arms and Clerk.

Krause, John R., 25 So. Owen Dr., Madison, Clerk and Payroll.

Bloedorn, John D., 2422 Main St., La Crosse, Clerk.

Witwen, Newton G., Route 1, Sauk City, Clerk.

Green, Robert W., 228 No. 10th St., La Crosse, Messenger.

Heidel, Robert Dean, 11018 W. Ruby Ave., Wauwatosa, Messenger.

Johnson, Allan A., 2530 Kendall Ave., Madison, Messenger.

Kane, Harry P., 530 McIndoe St., Wausau, Messenger.

King, David H., 521 Blackhawk Ave., Madison, Messenger.

Knowles, Robert P., Jr., 335 E. 1st St., New Richmond, Messenger.

Miller, Ernest C., 419 N. Pinckney St., Madison, Messenger.

Nicholson, Fred, 318 Norris Court, Madison, Messenger.

Nicholson, Kenneth, 534 Glenway, Madison, Messenger.

Wallen, Ames M., 814 Hiawatha Dr., Madison, Messenger.

Panzer, Frank E., Route 1, Brownsville, Messenger.

Thomson, Tom G., 1407 Academy, Elroy, Messenger.

Daly, Patrick M., 1210 Oak St., Wisconsin Rapids, Messenger.

Rader, John, 827 Jackson St., Marinette, Messenger.

Brumm, Robert C., 1060 Marinette Ave., Marinette, Messenger.

Bosshard, John, Bangor, Wisconsin, Messenger.

Brazy, Peter C., N89 W15883 Main St., Menomonee Falls, Messenger.

Stratheam, Bruce, Main St., Menomonee Falls, Messenger.

Gable, John A., 300 High St., Clinton, Messenger.

Schwertfeger, Frederick F., 901 Maple St., Horicon, Messenger.

Murdock, Donald R., 450 W. Gilman St., Madison, Messenger.

Folmer, Jeffery, 5112 N. Santa Monica, Whitefish Bay, Messenger.

Treptow, James E., 66 Craig Ave., Madison, Night Watchman.

By Senator Knowles.

Was read.

The resolution was adopted.

Senate Joint Resolution 1

A joint resolution for notification to the Governor that the legislature is organized.

By Senator Knowles.

Was read.

The joint resolution was adopted.

Ordered immediately messaged to the assembly.

Senate Joint Resolution 2

A joint resolution relating to the joint rules of the senate and assembly.

By Senator Knowles.

Was read.

The question was: Shall the joint resolution be adopted?

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

Ayes—Senators Benson, Busby, Carr, Christopherson, Draheim, Hansen, Hollander, Kendziorski, Keppeler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Miller, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—30.

Noes—None.

Absent or not voting—Senators Bice and Dempsey—2.

So the joint resolution was adopted.

Ordered immediately messaged to the assembly.

Senate Joint Resolution 3

A joint resolution relating to the furnishing of statutes and other publications to the legislature and its members.

By Senator Knowles.

Was read.

The joint resolution was adopted.

Ordered immediately messaged to the assembly.

Senate Joint Resolution 4

A joint resolution relating to the recent marriage of Senator William A. Draheim and Miss Dorothy Puestow.

By Senators Panzer, Meunier, Thompson, Roseleip, Keppler, Leverich, Knowles, Krueger, Sussman, Dempsey, Busby, LaFave, Miller, Hollander, Kendziorski, Smith, Carr, Leonard, Risser, Lorge, Rasmusen, Bice, Christopher-son, Zaborski, Benson, Hansen, Lourigan, McParland, Schreiber, Schuele and Warren.

Was read.

The joint resolution was adopted.

Ordered immediately messaged to the assembly.

Senate Joint Resolution 5

A joint resolution to amend article V, sections 1 and 3 of the constitution, relating to 4-year terms of the office for the Governor and Lieutenant Governor and the election of those officers by a single vote.

By Senators Leonard, Keppler, Risser and Kendziorski.

Read first time.

To committee on Judiciary.

Senate Joint Resolution 6

A joint resolution to create article VI, sections 1m, 1n and 1p of the constitution, relating to changing the offices of secretary of state, treasurer and attorney general to be appointive by the governor.

By Senator Leonard.

Read first time.

To committee on Judiciary.

Senate Joint Resolution 7

A joint resolution establishing a joint legislative study committee to hold hearings to determine whether a time limitation should be set on the length of political campaigns.

By Senators Leonard, Lorge and Keppler.

Was read.

To committee on Governmental and Veterans' Affairs.

BILLS INTRODUCED

Senate Bill 1

Relating to a system of county board representation in certain counties based on the apportionment of supervisory districts by county boards.

By Legislative Council.

Read first time.

To committee on Governmental and Veterans' Affairs.

Senator Hollander moved that pursuant to Joint Rule 32, the chief clerk be directed to procure 3,000 additional copies of Senate Bill 1.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 0; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Miller, Panzer, Rasmussen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—32.

Noes—None.

Absent or not voting—None.

So the motion prevailed.

Senate Bill 2

Relating to wages and hours of highway laborers and mechanics.

By Legislative Council.

Read first time.

To committee on Highways.

Senate Bill 3

Relating to uniform minimum standards for town road improvement.

By Legislative Council.

Read first time.

To committee on Highways.

Senate Bill 4

Relating to uniform standards for town road improvement.

By Legislative Council.

Read first time.

To committee on Highways.

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Senate Bill 5

Relating to Blue Book biographies and pictures of state officers and legislators.

By Senator Knowles.

Read first time.

To committee on Governmental and Veterans' Affairs.

Senate Bill 6

Relating to an accelerated water resources research and data collection program by 5 state agencies; and making appropriations.

By Senator Krueger.

Read first time.

To committee on Conservation.

PETITIONS AND COMMUNICATIONS

The State of Wisconsin
Department of State

To All To Whom These Presents Shall Come:

I, Robert C. Zimmerman, Secretary of State of the State of Wisconsin, do hereby certify that the following proposed amendments to the Constitution of the State of Wisconsin, have been approved by the Regular Session of the Legislature of 1963, and duly published, as required by Section 1 of Article XII of the Constitution, and are hereby referred for further approval to the Legislature of 1965:

Jt. Res. No. 14, A.

Deposited June 10, 1963.

Published June 12, 1963.

Republished June 13, 1963.

No. 30, 1963

A JOINT RESOLUTION

To amend article VI, section 4 of the constitution, relating to abolishing the offices of coroner and surveyor in populous counties.

Resolved by the assembly, the senate concurring, That article VI, section 4 of the constitution be amended to read:

(Article VI) Section 4. Sheriffs, coroners, registers of deeds, district attorneys, and all other county officers except

judicial officers and chief executive officers, shall be chosen by the electors of the respective counties once in every two years. *The offices of coroner and surveyor in counties having a population of 500,000 or more are abolished at the conclusion of the terms of office during which this amendment is adopted.* Sheriffs shall hold no other office, and shall not serve more than two terms or parts thereof in succession; they may be required by law to renew their security from time to time, and in default of giving such new security their office shall be deemed vacant, but the county shall never be made responsible for the acts of the sheriff. The governor may remove any officer in this section mentioned, giving to such a copy of the charges against him and an opportunity of being heard in his defense. All vacancies shall be filled by appointment, and the person appointed to fill a vacancy shall hold only for the unexpired portion of the term to which he shall be appointed and until his successor shall be elected and qualified. Be it further

Resolved, That the foregoing amendment to the constitution be published for 3 months preceding the next general election, and is hereby referred to the legislature to be chosen at such election.

Jt. Res. No. 39, A.

Deposited June 10, 1963.
Published June 12, 1963.

No. 31, 1963

A JOINT RESOLUTION

To create section 23 of article I of the constitution, relating to the transportation of school children.

Resolved by the assembly, the senate concurring, That section 23 of article I of the constitution be created to read:

(Article I) Section 23. Nothing in this constitution shall prohibit the legislature from providing for the safety and welfare of children by providing for the transportation of children to and from any approved parochial or private school or institution of learning. Be it further

Resolved, That this proposed amendment be and is hereby referred to the legislature to be chosen at the next general election and that the same be published for 3 months preceding the time of holding such election.

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Jt. Res. No. 24, S.

Deposited June 19, 1963.

Published June 22, 1963.

No. 34, 1963

A JOINT RESOLUTION

To amend article IV, section 13 of the constitution, relating to the eligibility of military officers for the legislature.

Resolved by the senate, the assembly concurring, That article IV, section 13 of the constitution be amended to read:

(Article IV) Section 13. No person being a member of congress, or holding any military or civil office under the United States, shall be eligible to a seat in the legislature; and if any person shall, after his election as a member of the legislature, be elected to congress, or be appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat. *This restriction shall not prohibit a legislator from accepting short periods of active duty as a member of the reserve or from serving in the armed forces during any emergency declared by the executive.* Be it further

Resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it shall be published for 3 months previous to the time of holding such election.

Jt. Res. No. 42, S.

Deposited June 19, 1963.

Published June 22, 1963.

No. 35, 1963

A JOINT RESOLUTION

To amend article IV, section 24, of the constitution, to limit the definition of consideration as an element in a lottery.

Resolved by the senate, the assembly concurring, That article IV, section 24, of the constitution be amended to read:

(Article IV) Section 24. The legislature shall never authorize any lottery, or grant any divorce. *Except as the legislature may provide otherwise, to listen to or watch a tele-*

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vision or radio program, to fill out a coupon or entry blank, whether or not proof of purchase is required, or to visit a mercantile establishment or other place without being required to make a purchase or pay an admittance fee does not constitute consideration as an element of a lottery. Be it further

Resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such elections.

Jt. Res. No. 59, S.

Deposited July 31, 1963.
Published August 2, 1963.

No. 44, 1963

A JOINT RESOLUTION

To amend article XI, section 3 of the constitution, relating to exceptions to the debt limits for units of local government.

Resolved by the senate, the assembly concurring, That section 3 of article XI of the constitution be amended to read:

(Article XI) Section 3. Cities and villages organized pursuant to state law are hereby empowered, to determine their local affairs and government, subject only to this constitution and to such enactments of the legislature of statewide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature. No county, city, town, village, school district or other municipal corporation may become indebted in an amount that exceeds an allowable percentage of the taxable property located therein equalized for state purposes as provided by the legislature. In all cases the allowable percentage shall be five per centum except as follows: (a) For any city authorized to issue bonds for school purposes, an additional ten per centum shall be permitted for school purposes only, and in such case the territory attached to the city for school purposes shall be included in the total taxable property supporting the bonds issued for school purposes. (b) For any school district which offers no less than grades one to twelve and which at the time of incurring such debt is eligible for the highest level of school

aids, ten per centum shall be permitted. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of one hundred fifty thousand or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding fifty years from the time of contracting the same. An indebtedness created for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility of a town, village * * *, city or special district, and secured solely by the property or income of such public utility, and whereby no municipal liability is created, shall not be considered an indebtedness of such town, village * * *, city or special district, and shall not be included in arriving at such * * * debt limitation. Be it further

Resolved, That this proposed amendment be and it is hereby referred to the legislature to be chosen at the next general election, and that the same be published for 3 months previous to the time of holding such election.

Jt. Res. No. 63, S.

Deposited July 31, 1963.
Published August 2, 1963.

No. 45, 1963

A JOINT RESOLUTION

To amend article XI, section 3 of the constitution, relating to the time limit on debt for units of local government.

Resolved by the senate, the assembly concurring, That article XI, section 3 of the constitution be amended to read:

(Article XI) Section 3. Cities and villages organized pursuant to state law are hereby empowered, to determine their

local affairs and government, subject only to this constitution and to such enactments of the legislature of state-wide concern as shall with uniformity affect every city or every village. The method of such determination shall be prescribed by the legislature. No county, city, town, village, school district or other municipal corporation may become indebted in an amount that exceeds an allowable percentage of the taxable property located therein equalized for state purposes as provided by the legislature. In all cases the allowable percentage shall be five per centum except as follows: (a) For any city authorized to issue bonds for school purposes, an additional ten per centum shall be permitted for school purposes only, and in such cases the territory attached to the city for school purposes shall be included in the total taxable property supporting the bonds issued for school purposes. (b) For any school district which offers no less than grades one to twelve and which at the time of incurring such debt is eligible for the highest level of school aids, ten per centum shall be permitted. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within * * * *thirty* years from the time of contracting the same; except that when such indebtedness is incurred in the acquisition of lands by cities, or by counties having a population of one hundred fifty thousand or over, for public, municipal purposes, or for the permanent improvement thereof, the city or county incurring the same shall, before or at the time of so doing, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within a period not exceeding fifty years from the time of contracting the same. An indebtedness created for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility of a town, village or city, and secured solely by the property or income of such public utility, and whereby no municipal liability is created, shall not be considered an indebtedness of such town, village or city, and shall not be included in arriving at such * * * per centum debt limitation. Be it further

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Resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it shall be published for 3 months previous to the time of holding such election.

Jt. Res. No. 32, S.

Deposited September 3, 1963.
Published September 6, 1963.

No. 48, 1963

A JOINT RESOLUTION

To amend article VII, section 15, so as in effect to repeal said section; and to amend article VII, section 2, of the constitution, relating to abolishing the office of justice of the peace.

Resolved by the senate, the assembly concurring, That article VII, section 15 of the constitution be amended, so as in effect to repeal said section; and that article VII, section 2, of the constitution be amended to read:

(Article VII) Section 2. The judicial power of this state, both as to matters of law and equity, shall be vested in a supreme court, circuit courts, *and* courts of probate * * *. The legislature may also vest such jurisdiction as shall be deemed necessary in municipal courts, and *may authorize the establishment of* inferior courts in the several counties, *cities, villages or towns* with limited civil and criminal jurisdiction. Provided, that the jurisdiction which may be vested in municipal courts shall not exceed in their respective municipalities that of circuit courts in their respective circuits as prescribed in this constitution; and that the legislature shall provide as well for the election of judges of the municipal courts as of the judges of inferior courts, by the qualified electors of the respective jurisdictions. The term of office of the judges of the said municipal and inferior courts shall not be longer than that of the judges of the circuit courts.

Section 15. * * * Be it further

Resolved, That this proposed amendment be and hereby is referred to the legislature to be chosen at the next general election, and that the same be published for 3 months previous to the time of holding such election.

Jt. Res. No. 68, S.

Deposited December 19, 1963.

Published December 24, 1963.

No. 57, 1963

A JOINT RESOLUTION

To amend article VIII, section 1, of the constitution, relating to permitting classification of property for purposes of taxation.

Resolved by the senate, the assembly concurring, That article VIII, section 1, of the constitution be amended to read:

(Article VIII) Section 1. The rule of taxation shall be uniform but the legislature may empower cities, villages or towns to collect and return taxes on real estate located therein by optional methods. Taxes shall be levied upon such property with such classifications as to forests and minerals including or separate or severed from the land, as the legislature shall prescribe. Taxation of *agricultural land as defined by the legislature in cities and villages need not be uniform with the taxation of other real property and the taxation of merchants' stock-in-trade, manufacturers' materials and finished products, and livestock need not be uniform with the taxation of real property and other personal property, but the taxation of all such merchants' stock-in-trade, manufacturers' materials and finished products and livestock shall be uniform, except that the legislature may provide that the value thereof shall be determined on an average basis. The taxation of agricultural land in cities and villages shall be uniform within such class.* Taxes may also be imposed on incomes, privileges and occupations, which taxes may be graduated and progressive, and reasonable exemptions may be provided. Be it further

Resolved, That the foregoing proposed amendment to the constitution be published for 3 months preceding the next general election, and is hereby referred to the legislature to be chosen at such election.

(Seal) IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at the Capitol, in the City of Madison, this Thirteenth day of January, A. D. 1965.

ROBERT C. ZIMMERMAN,
Secretary of State.

The foregoing communication was referred to the committee on Judiciary.

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EXECUTIVE COMMUNICATIONS

**The State of Wisconsin
Executive Office
Madison 53702**

**Mr. Lawrence R. Larsen
Chief Clerk of the Senate
Room 243 South, State Capitol
Madison, Wisconsin**

Dear Sir: I request your permission to address a joint session of the Legislature in the Assembly chambers on Tuesday, January 19, 1965 at 11:00 a.m.

Respectfully,

WARREN P. KNOWLES,

January 12, 1965.

Governor.

Upon motion of Senator Knowles, with unanimous consent, the request of the Governor was granted.

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 Arthur L. Padrutt, of Madison, a member of the Public Service Commission, to succeed himself, for the term ending the 1st Monday in March, 1969.

Respectfully submitted,

WARREN P. KNOWLES,

January 8, 1965.

Governor.

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

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nominate and appoint James L. Karns, of Madison, as Commissioner of the Motor Vehicle Department of Wisconsin, to succeed himself, for the term ending January 21, 1971.

Respectfully submitted,

WARREN P. KNOWLES,

January 6, 1965.

Governor.

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

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 James R. Morgan, of Madison, as Commissioner of Taxation, to succeed George W. Corning, for the term ending July 1, 1965, and for the full term beginning July 1, 1965.

Respectfully submitted,

WARREN P. KNOWLES,

January 4, 1965.

Governor.

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 Guido R. Rahr, of Manitowoc, a member of the State Conservation Commission, to succeed himself, for the term ending July 27, 1969.

Respectfully submitted,

WARREN P. KNOWLES,

January 11, 1965.

Governor.

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

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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 Charles F. Smith, of Wausau, a member of the State Conservation Commission, to succeed himself, for the term ending July 27, 1969.

Respectfully submitted,

WARREN P. KNOWLES,

January 11, 1965.

Governor.

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

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 J. Cole, of Platteville, a member of the Public Service Commission, to succeed Stanley P. Hebert, for the term ending the 1st Monday in March, 1967.

Respectfully submitted,

WARREN P. KNOWLES,

January 12, 1965.

Governor.

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

The State of Wisconsin
Executive Department

To the Honorable, the Legislature:

I have the honor to report to you the pardons, commutations of sentence, and restorations of civil rights granted during the term beginning the first Monday in January, 1963 and ending the first Monday in January, 1965, with reasons therefore, as required by Section 6, Article V of the Wisconsin Constitution.

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Upon due application, executive clemency was extended to persons who had not fully satisfied their respective sentences as follows :

1. Harry Curry, convicted on July 28, 1961, for writing bad checks amounting to \$472. He was sentenced to five consecutive two year terms. Five consecutive sentences of two years would have made him ineligible for parole until he had served five years of his sentence. I felt that the nature of the sentence worked an unusually harsh penalty on him. The amount involved was small and this was his first offense of this nature. He had an excellent prison conduct record and had become a skilled workman. He had also overcome an alcoholism problem which was a contributing factor in his crime. I therefore ordered three of his two year sentences to be served concurrently with the first two sentences of two years. (Commutation granted March 11, 1963).

2. Harold Gerarden, Sr., convicted of burglary for stealing sandwich meats and whiskey in Eau Claire County. On the basis of an erroneous report of past convictions, he was sentenced on April 3, 1957, to ten years in the State Prison. During the first three years of his term he obtained certified statements from clerks of various courts that he had not been convicted of the alleged felonies in their courts. He presented this evidence to the sentencing judge who recalled him to court and sentenced him to five years instead of ten. I granted a pardon on the basis of the erroneous criminal record on which he was originally sentenced. I felt clemency was justified because he had already served 7 years. An additional three years had been added to his sentence on January 30, 1961, because he had walked away from the prison farm after the Supreme Court held in 1961 that the second trial had in fact lost jurisdiction and that there was no authority in laying down a new sentence. (Absolute pardon granted July 19, 1963).

3. Robert J. Bennett, convicted of first degree murder on December 10, 1912, at the age of 21 and sentenced to life imprisonment in the State Prison. He had served 24 years in prison and 26 years on parole. At the age of 72 he sought executive clemency to permit him free movement about the State and to eliminate the barriers to travelling out of the

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state. During his 51 years of supervision he was involved in only one other minor infraction in 1946. The Division of Corrections strongly recommended executive clemency in this particular case. (Absolute pardon granted July 19, 1963).

4. Merwin Huffman, convicted of theft and burglary on August 25, 1961, and sentenced to 3 consecutive sentences totalling 13 years. The arrangement of his sentences made him ineligible for parole for 3 years after his conviction while the usual eligibility period is one year. He was offered an unusual opportunity to live with an Illinois family on their cattle farm. As a result of this opportunity and the applicant's excellent prison conduct record I commuted his sentence to 5 years so that he becomes eligible for parole immediately. (Commutation granted July 19, 1963).

5. Casimir John Janczak, convicted for abandonment of children and sentenced on June 5, 1962, to two years in the State Prison and to two years on probation (consecutive to the prior term) for abandonment of wife and children. He was on parole on his original two year sentence. I commuted the first two year sentence to time already served. The two year probation remained the same. He was a bartender by trade and his sentence prevented him from returning to his work and supporting his wife and children. Under Milwaukee Code of Ordinances, a parolee is ineligible for a bartender's license. A probationer, on the other hand, can obtain a license. By commuting his sentence I am allowing him to apply for a license and to meet his obligations to his family and the community. (Commutation granted September 11, 1963).

6. William C. Kallin, convicted of a series of burglaries on November 14, 1960, and given sentences totaling 24½ years. He had been in prison since 1960 and would not, under the present arrangement of his sentences, be eligible for parole until November, 1965. I commuted his sentence to a total of 10 years, so as to make him eligible for parole. He was a first offender who had an outstanding record at the penal institutions. (Commutation granted September 10, 1963).

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7. Don Cornell, convicted for writing worthless checks and sentenced on April 24, 1962, to four consecutive terms of one year and eight concurrent terms of one year. At the time of the trial the applicant asked for the appointment of a defense counsel but the judge denied this request because the crime was not a felony even though it carried a term of one year. I commuted his sentence to make him eligible for parole within 30 days. I have only limited power to redress a deprivation of constitutional rights but creating parole eligibility appeared to be the wisest course. A commutation of sentence to time served would release this man without the possibility of future prosecution even though he may have been guilty. To do nothing in his case would have required that he seek a new trial which could result in a new conviction and the reserving of the year and a half already spent in prison. With these unsatisfactory alternatives I was convinced that the proper course in vindicating his constitutional right to counsel was to make him eligible for parole by commuting his sentence. (Commutation granted September 10, 1963).

8. David John Hendricks, convicted on July 26, 1962, of burglary and operating an auto without the owner's consent and sentenced to a total of ten years. The arrangement of the applicant's sentences made him ineligible for parole for five years from the date of conviction. This period to parole eligibility was unusually long and prevented the parole board from obtaining jurisdiction over this man. I commuted this man's sentence to a single nine year term. This made him eligible for parole but guaranteed an extended period of supervision by the Division of Corrections to insure that this man would maintain a good conduct record and meet his responsibilities to society. Creating parole eligibility in this case helped restore his hope for the future, where a five year wait to parole eligibility would have left this applicant behind bars and without much hope. (Commutation granted September 11, 1963).

9. John Mitchell Flick, convicted of forgery on June 11, 1963, and sentenced to one year in prison. He wrote a \$32 forged check. The next day he turned himself into the authorities. He had no previous criminal record. A first offense of this nature usually results in probation and commutation in this case seemed to conform the sentence to the

usual practice in these cases. He had already served six months where the usual sentence would be probation. I therefore commuted his sentence to time already served. (Commutation granted December 4, 1963).

10. Malcolm D. Lewis, convicted of abandonment and issuing worthless checks on May 18, 1961. He was given a series of consecutive sentences totaling 6 years. Because of the consecutive nature of the sentences the applicant was not eligible for parole until three years after conviction. The usual waiting period till parole eligibility is one year. I commuted him therefore from a series of consecutive sentences totaling six years to a single six year sentence. This made him eligible for parole after a single year but continued him under the jurisdiction of the Division of Corrections for the full six years. His prison record justified giving him a chance to appear before the parole board. Then if the board felt he had been sufficiently rehabilitated it could release him under supervision. (Commutation granted December 2, 1963).

11. Burton Warrington, convicted on June 5, 1961, on three counts of forgery and sentenced to three terms of one year each, to be served consecutively. At the same time, he was sentenced to three years for issuing worthless checks, and forgery. He would have to serve 2½ years before he could be eligible to apply for parole. His wife passed away in 1959 leaving him with six children. Shortly thereafter he started writing bad checks. He would have had to wait unreasonably long for parole eligibility in the light of the crimes for which he had been convicted. I commuted this man's three one-year sentences to a single one-year sentence. This made him eligible for parole immediately but guaranteed an extended period of supervision to insure that this man would maintain a good conduct record and meet his responsibility to society. (Commutation granted May 22, 1964).

12. Richard Hal Playter, convicted on three counts of burglary and one count of theft and sentenced on August 25, 1961, to a total term of nine years. However, because of the consecutive nature of his sentence he would not have been eligible for parole until August 26, 1964. His crimes

were not aggressive in nature, or otherwise the type that would normally lead to a long sentence, especially not one with such a long parole eligibility. It is a strong negative morale factor for so young a person to be without even hope of parole for such a long period of time. Based upon all information available, I commuted this man's sentence to a single indeterminate term of not more than six years. This made him eligible for parole immediately. (Commutation granted May 21, 1964).

13. Ervin Alvin Komassa, convicted for the crimes of abandonment and theft and sentenced on January 16, 1963, to an indeterminate term of not more than two years and an indeterminate term of not more than five years for these crimes. Later, on that same day, he was convicted on four counts for issuing worthless checks, and sentenced for four terms of one year each (to be served consecutively). In effect, that meant that he would have a nine year sentence and would not be eligible for parole until January 18, 1966. A three-year parole eligibility date in Wisconsin is usually reserved only for crimes of an assaultive or aggressive nature. This man's parole eligibility date should be more in line with that of most other inmates so that prospects for his immediate future are not so bleak. I commuted his sentence to an indeterminate term of not more than nine years. This did not reduce the maximum time that he has to serve, but made him eligible for parole, immediately. (Commutation granted May 21, 1964).

14. John J. Molash, convicted on twelve counts of burglary and sentenced on March 28, 1962, to three indeterminate terms of not more than five years to be served consecutively, and nine indeterminate terms of not more than two years each, to be served concurrent with the three terms of five years each. In effect, he was given a total of fifteen years and would not be eligible for parole until March of 1965. Under his sentence he must serve three years before parole eligibility. I commuted this man's term to an indeterminate term of not more than ten years. This action made him eligible for parole immediately. It was noted that his two accomplices in the crimes for which he was convicted were sentenced to much lesser terms. (Commutation granted May 21, 1964).

15. Fred Garcia, convicted of first degree murder and sentenced to life imprisonment on July 10, 1933. He remained in prison until October 9, 1946, at which time he was paroled by the State Department of Public Welfare. He had been under parole supervision in California for the past 18 years and was employed as a plumber. His overall adjustment while under 18 years of close supervision had been good. He had shown himself to be a good worker and had been a law abiding citizen. I commuted this man's sentence to time served so that he could take his place in society and lead a normal life without further supervision. (Commutation granted December 24, 1964).

16. Wilfred Rogers, convicted of first degree murder and sentenced to life imprisonment by the Superior Court of Dane County on February 9, 1931. He was paroled from prison in June of 1944 and had been under parole supervision since that time. I granted Mr. Rogers a full pardon. Since his release from prison, he conducted himself in a superior manner for the past twenty years while he was on parole. He had four parole officers in Illinois since he had been released and each recommended that he be released from parole. That can only be done through executive clemency. His last parole officer said that Mr. Rogers was the "best behaved parolee that any parole agent could ask for due to the fact that he has never caused the past and present parole agent any concern." From all apparent sources, Mr. Rogers was ready to take his proper place in society and should be freed from the burden of parole supervision. He had shown himself to be a model parolee and a law abiding citizen. I felt that this man should be given a chance to resume a normal life without further parole supervision. (Absolute pardon granted December 24, 1964).

17. Sherburn J. Dodge, convicted of two counts of criminal liability and seventeen counts of theft on June 2, 1961, and sentenced for a total of 9 years. He was granted a pardon and was released from prison because I was informed that he was dying of cancer and had only a short time to live. I decided that he should spend his remaining days out of prison. He has subsequently passed away. (Commutation granted March 18, 1963).

18. Clifford Allen LaPine, convicted of two counts of having sexual intercourse with a child (17½ year old girl) on March 29, 1960, and sentenced to two terms of 5 years, consecutively (total 10 years). He was paroled on April 5, 1962, from the prison. I commuted his sentence to have the two five year sentences run concurrently. He was a conscientious worker and had taken advantage of parole supervision to its ultimate objective. Prior to 1960 he had not been involved in any problems with the law except for a prior non-support charge. This commutation of sentence will give him a chance to take his normal place in society but would keep him under supervision for 6 more months. (Commutation granted December 31, 1964).

19. Donald Merkey, convicted of issuing 12 worthless checks on November 22, 1963. He was sentenced to 4 years. In effect, he was sentenced to 4 terms of one year each to run consecutively with the other. That would mean that he would not be eligible for parole for 2 years. I commuted this man's sentence to a total term of 4 years. I did not reduce the total number of years that he had to serve. This action enabled the Parole Board to review his situation and determine whether he would be a suitable risk for parole supervision. (Commutation granted December 31, 1964).

20. Leslie A. Zuege, convicted of 3 counts of the crime of forgery on March 6, 1964, and sentenced for an indeterminate term of not less than 5 years on each count (served consecutively). That would mean a total term of 15 years and he would not have been eligible for parole until March 6, 1967. The total of the 3 checks for which he was convicted amounted to \$114. Prior to this sentence he had been convicted of theft and non-support but in both cases was sentenced to probation. I commuted his sentence so that each of the 3 sentences imposed upon him in 1964 will run concurrently. That would mean that the total term would be 5 years and would make him eligible for parole. He did not commit an assaultive crime. The commutation of his sentence was certainly commensurate with the crime involved and would obviously give him more hope for the future than he had. (Commutation granted December 31, 1964).

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21. George Damascus Zbichorski, convicted of abandonment on January 30, 1963, in Milwaukee and sentenced to 2 years in prison. He had served one year at the time he had applied for clemency. I commuted his sentence to 1 year. Zbichorski was not given the usual probationary period during which to support his family. He also found it difficult to meet his obligations because his wife took their children from the site of Zbichorski's business at Lyndon Station (Juneau County) and moved to Chicago. She did not provide Zbichorski with any information as to her new residence. Zbichorski had indicated a willingness to re-establish a home for his 2 children who had been in the custody of Milwaukee County. The Division of Corrections strongly recommended executive clemency in this case and I felt that no further purpose would be served by continued incarceration of Zbichorski. (Commutation granted July 19, 1963).

In addition to the foregoing, absolute pardons after expiration of sentence were granted to the following:

22. Theodore Gagliano, convicted of statutory rape on August 31, 1934, and sentence was suspended for two years upon payment of costs and he was placed on probation. He was also convicted of carnal knowledge and abuse and pandering on November 19, 1941, and sentenced to 7 years and 2-14 years concurrently in the State Prison. He was fully released from State supervision in 1949 after serving several years in the armed forces during the war. Since that time he has been a business man and a good citizen. I granted clemency to remove that barrier in his application for licenses for a restaurant. He had fully served his court imposed sentence. (Absolute pardon granted July 26, 1963).

23. William Kowalik, convicted of selling obscene films on October 17, 1960. He paid a fine of \$250 imposed by the trial court. He had no other criminal conviction in his record. He sought executive clemency in order to restore his right to hold public office which the State Constitution denies to persons convicted of a felony. He held the post of supervisor prior to his conviction. He attempted to file again for that office in 1963 but his petition was refused by the county clerk. I granted a pardon because he had already served his penalty and there seemed to be no reason for denying him the right to seek public office. (Absolute pardon granted July 19, 1963).

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24. Wallace Lautenbach. Mr. Lautenbach was sentenced to not less than one year or more than 18 months in the State Reformatory by the County Court of Door County for the crime of non-support on April 30, 1949. Lautenbach served nine months and then was released. He was also sentenced on November 8, 1944, of the crime of grand larceny and sentence was withheld and he was placed on probation for one year. He was living in Indianapolis and requested a pardon so that he could pursue occupations that made licensing a prerequisite. Under Indiana law, one convicted of a felony could not be licensed for certain occupations. I granted him a pardon because he had been a good citizen for 14 years. This pardon enabled Mr. Lautenbach to resume the occupation he desired. A check with the Sheriff of the County in which Mr. Lautenbach resided showed him to be a respectable citizen. (Absolute pardon granted December 24, 1964).

25. Alfons Tafelski, convicted of burglary on April 30, 1958, and on April 23, 1958. He was sentenced to a term of three years on probation and two years on probation. In April of 1960 he was discharged from probation and his sentence was indefinitely suspended. He was born in Germany, served in the United States Army. In 1963 he applied for citizenship and passed the required examination. However, he was informed that no further proceedings to grant him citizenship could be continued by reason of the fact that he had been convicted of a felony. In order for him to receive his citizenship he must have obtained a full pardon. I granted him a full pardon so that he could avoid deportation. I was informed by his probation officer that he had successfully completed his periods of probation. (Pardon for the purpose of avoiding deportation). (Absolute pardon granted December 24, 1964).

In addition to the foregoing, a conditional pardon was issued to the following person, under the provisions of Sec. 57.11, Wis. Stats. Section 57.11 (2) provides that if it appears to the Governor that during the term of the sentence the convicted person violated or failed to comply with any such condition, he may issue his warrant to any sheriff commanding him to arrest the convicted person and bring him before the Governor, and subsection (3) of said statute provides that if upon inquiry it further appears to the Gov-

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error that the convicted person has violated or failed to comply with any such conditions, he may issue his warrant remanding him to the institution from which he was discharged, and he shall thereupon be confined and treated as though no pardon had been granted except that he loses the good time which he had earned; otherwise he shall be discharged subject to the conditional pardon.

26. Theodore Olson, sentenced by the Circuit Court of Florence County on June 22, 1964, to 14 months for the crime of theft. He was to be released on parole January 23, 1965. I was informed by the Division of Corrections that he had terminal cancer and has a short time to live. I granted him a conditional pardon. Under Wisconsin law, he could not be released from prison until he had served one half or one year of his sentence, whichever is lesser. The only way he could be released earlier is through a pardon. I granted him a conditional pardon, the condition being that he be under the supervision of the Department of Public Welfare. That allowed him to be released from prison immediately to give him a chance to live the remainder of his life outside the prison. (Conditional pardon granted December 31, 1964).

During the biennium 290 applications were made by 269 persons currently serving their sentences in state institutions. The balance were made by persons on parole, probation, or by those who had served their sentence and had been discharged.

In addition, a pardon was granted to the following person who had not completed his sentence and was granted for the purpose of avoiding deportation:

27. Matias Espinoza, convicted on April 3, 1961, to serve two concurrent sentences of one year for having intercourse with a consenting 16 year old girl. He was 21 at the time of his conviction. I granted this pardon to prevent the deportation of Espinoza whose four children are living in Wisconsin. To permit the deportation of this man would have worked a cruel and unnecessary punishment on him. He had served all but six weeks of his sentence and had fully proved

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that he was rehabilitated. The remaining six weeks of his sentence did not justify separating him from his four children. (Absolute pardon granted February 18, 1963).

Respectfully submitted,

JOHN W. REYNOLDS,

January 4, 1965.

Governor.

Ordered spread upon the journal.

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

RECESS

3:15 o'clock P.M.

The senate was called to order by the president.

Upon motion of Senator Knowles, with unanimous consent, the senate proceeded to the tenth order of business.

MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has organized by the election of Mr. Robert T. Huber as speaker, Mr. George Molinaro as speaker pro tempore, Mr. James P. Buckley as chief clerk and Mr. Thomas H. Browne as sergeant-at-arms, and is ready to proceed to legislative business, and has

Adopted and asks concurrence in
Assembly Joint Resolution 1.

ASSEMBLY MESSAGE CONSIDERED

Assembly Joint Resolution 1

Relating to preserving the natural beauty of the St. Croix River.

The joint resolution was considered at this time, upon motion of Senator Knowles, with unanimous consent.

Was read.

The joint resolution was concurred in.

Ordered immediately messaged to the assembly.

GUESTS INTRODUCED

Senator Zaborski informed the senate that it was honored by the presence of Mrs. Jean Lucey, the wife of the Honorable Lieutenant Governor, who was accompanied by their sons Michael and David and their daughter Lauri, all from Madison, Wisconsin.

Senator Zaborski also announced that Mrs. Carrol Benson, wife of newly elected Senator Taylor Benson from Franksville, Wisconsin and his mother Mrs. Marguerite Benson from Milwaukee, Wisconsin, who is the Collector of Customs and Dean Emeritus of the Democratic Party, were the guests present.

The following were also introduced to the senate by Senator Zaborski:

Mrs. Geraldine Schuele, wife of new Senator Fred Schuele, their son Ronald and his wife Nance and other guests all from Milwaukee, Wisconsin;

Mrs. Betty Risser, wife of Senator Risser, their two daughters Lisa Ann and Sara Dale accompanied by Fred E. Risser and Elizabeth Risser, his parents, all from Madison, Wisconsin;

Mrs. Marilyn Christopherson, wife of Senator Frank W. Christopherson, from Superior, Wisconsin;

Mrs. Esther Hansen, wife of new Senator William C. Hansen, from Stevens Point, Wisconsin and a friend, Mr. Roland Klaus, who is a retired Superintendent of Schools from Edgerton, Wisconsin;

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Mrs. Elaine Schreiber, wife of Senator Martin Schreiber, who was accompanied by Mr. and Mrs. Martin Schreiber, Sr., parents of Senator Schreiber and his sister Betty, all from Milwaukee, Wisconsin;

Mrs. Margaret Lourigan, wife of new Senator Joseph Lourigan from Kenosha, Wisconsin;

Mrs. Rose Sussman, wife of Senator Sussman, and Mrs. Jeannette Swed, Democratic National Committee-woman, both from Milwaukee, Wisconsin.

Senator Keppler announced to the senate that it is honored by the presence of Mr. and Mrs. Adolph F. Zurheide, his father and mother-in-law, who were accompanied by his wife, Mrs. Ernest C. Keppler, all from Sheboygan, Wisconsin.

Senator Warren had the pleasure of introducing to the senate Reverend and Mrs. George R. Warren, his father and mother, from Waupaca, Wisconsin and his wife Lauerne Warren from Green Bay, Wisconsin.

The chief clerk addressed the senate briefly, thanking Senators Panzer and Zaborski and the rest of the members as well for their continuing confidence in him and mentioned the outstanding fact that this happens to be the twelfth session of the senate in which he has the privilege and pleasure to act and serve as their chief clerk.

Upon motion of Senator Knowles, with unanimous consent, the senate adjourned until 10:00 o'clock Thursday morning, January 14, 1965.