

JOURNAL OF THE ASSEMBLY [August 8, 1969]

STATE OF WISCONSIN

Assembly Journal

Seventy-Ninth Regular Session

FRIDAY, August 8, 1969.

10:00 A.M.

The assembly was called to order by the assistant chief clerk.

The assembly met.

Assemblyman Alfonsi in the chair.

Roll call was dispensed with.

AMENDMENTS OFFERED

Assembly amendment 1 to assembly substitute amendment 1 to **Senate Bill 330** offered by Assemblyman Lewison.

Assembly amendment 1 to **Senate Bill 525** offered by Assemblyman Steinhilber, by request of the General Life Insurance Corporation of Wisconsin, The Old Line Life Insurance Company of America, Time Insurance Company and Wisconsin National Life Insurance Company.

Assembly amendment 1 to **Senate Bill 498** offered by Assemblyman Packard.

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COMMUNICATIONS

**Department of State
Madison 2 Wisconsin**

August 7, 1969.

To Whom It May Concern:

Dear Sir: Acts, Joint Resolutions and Resolutions, deposited in this office, have been numbered and published as follows:

Bill, Jt. Res. or Res.	Chapter No.	Publication Date
Assembly Bill 381 -----	121 -----	August 6, 1969
Assembly Bill 385 -----	122 -----	August 7, 1969
Assembly Bill 515 -----	123 -----	August 7, 1969
Assembly Bill 542 -----	124 -----	August 7, 1969
Senate Bill 7 -----	125 -----	August 7, 1969
Senate Bill 104 -----	126 -----	August 8, 1969
Senate Bill 315 -----	127 -----	August 8, 1969
Senate Bill 361 -----	128 -----	August 9, 1969
Senate Bill 543 -----	129 -----	August 9, 1969
Senate Bill 623 -----	130 -----	August 9, 1969
Senate Bill 116 -----	131 -----	August 9, 1969

Very truly yours,

**ROBERT C. ZIMMERMAN,
Secretary of State.**

**The State of Wisconsin
Department of State
Madison 53702**

August 5, 1969.

To the Honorable, the Assembly:

Gentlemen: I have the honor to transmit to you, pursuant to Section 13.67 (2), a list of registered lobbyists for the period beginning July 29, 1969, and ending August 4, 1969.

Yours very truly,

**ROBERT C. ZIMMERMAN,
Secretary of State.**

Received and placed on file in the office of the chief clerk. Pursuant to Joint Rule 36, the list is printed in the senate journal only and appears there beginning on page 1463.

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EXECUTIVE COMMUNICATIONS

The State of Wisconsin
Executive Office
Madison 53702

August 7, 1969.

To the Honorable, the Assembly:

The following bill, originating in the Assembly, has been approved, signed and deposited in the office of the Secretary of State.

Assembly Bill	Chapter No.	Date Approved
301 -----	142 -----	August 7, 1969

Respectfully submitted,

WARREN P. KNOWLES,
Governor.

VETO MESSAGE

August 7, 1969.

To the Honorable, the Assembly:

I am returning Assembly Bill 42 to you without my approval.

Assembly Bill 42 provides for minimum mandatory sentences for persons convicted of a felony while armed with a dangerous weapon.

The correctional approach in Wisconsin for many years has been to grant discretion to the judge in the sentencing process. While this system has doubtless produced some inequities, it has, on the whole, proved beneficial.

Judicial discretion is important in the sentencing procedure because of the varying degrees of conduct which are involved in the commission of crimes. For instance, as this bill is written, it appears that any individual who has in his possession, but does not necessarily use, any article capable of producing great bodily harm at the time he commits a felony will automatically receive a lengthy prison sentence or probation.

One can easily imagine a situation which amounts to a violation of the serious felony statute but does not warrant

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either probation on the one hand or a mandatory two-year prison sentence on the other. The same problem would be encountered with the lesser felonies.

It seems likely that the bill was drafted in response to a legitimate public concern about the use of hand guns but, in fact, it covers all instruments. Even a lamp or brick is capable of doing great harm. Coupled with the fact that actual use of the instrument is not a prerequisite for conviction, the bill seems overly broad in setting minimum penalties.

In addition to these problems, there is no conclusive evidence to support the assumption that more severe penalties result in a reduction of crime. In fact, there is statistical data which appear to support the opposite conclusion. Consequently, it seems probable that the deterrent effect of this bill is speculative at best.

While I strongly support anti-crime measures, I feel we must reach the root causes of crime through efforts which are supported by pertinent evidence.

For the above reasons, I am returning Assembly Bill 42 without my approval.

Respectfully submitted,

WARREN P. KNOWLES,
Governor.

Assemblyman Shabaz moved that the assembly adjourn to 11:00 A.M. Tuesday, August 12, 1969.