WEDNESDAY, June 2, 1976.

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

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 585

Correctly enrolled and presented to the Governor on May 20, 1976.

The chief clerk records:

Senate Bill 16
Senate Bill 38
Senate Bill 62
Senate Bill 105
Senate Bill 106
Senate Bill 114
Senate Bill 126
Senate Bill 128
Senate Bill 130
Senate Bill 135
Senate Bill 198
Senate Bill 204
Senate Bill 230
Senate Bill 287
Senate Bill 306
Senate Bill 336
Senate Bill 338
Senate Bill 356
Senate Bill 357
Senate Bill 368
Senate Bill 415
Senate Bill 418
Senate Bill 422
Senate Bill 488
Senate Bill 521
Senate Bill 522
Senate Bill 525
Senate Bill 528
Senate Bill 579
Senate Bill 605
Senate Bill 631
Senate Bill 632

Senate Bill 642
Senate Bill 643.
Senate Bill 652
Senate Bill 690
Senate Bill 699
Senate Bill 747
Senate Bill 811
Senate Bill 828

Correctly enrolled and presented to the Governor on May 21, 1976.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Department of State

May 27, 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 May 17, 1976, and ending on May 26, 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.

Beno, Del, P. O. Box 1204, Madison, Wisconsin 53701 -- Volkswagen of America, c/o David McBride, One IBM Plaza, Chicago, Illinois 60611 -- 25, 22 -- May 24, 1976.

Goldberg, Sheldon, 122 W. Washington Ave., Suite 200, Madison, Wisconsin 53703 -- Wisconsin County Boards Association, 122 W. Washington Ave., Suite 200, Madison, Wisconsin 53703 -- All coded subjects -- May 25, 1976.

Note the following cancellations:

James C. Geisler, Wisconsin Orthotic & Prosthetic Association, as of May 1, 1976.

John Hayon, Wisconsin State UAW CAP Council, as of April 19, 1976.

Edward J. Heiser, Jr., Wisconsin Consumer Finance Association, as of May 1, 1976.

Ralph Koenig, Region 10, UAW, as of April 19, 1976.

William J. Troestler, Region 10, UAW, as of April 19, 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*

EXECUTIVE COMMUNICATIONS

The State of Wisconsin
Executive Department

To the Honorable, the Legislature:

I have the honor to report to you the pardons and commutations of sentence granted to me as Governor during the year 1975, with reasons therefore, as required by Article V, Section 6, of the Wisconsin Constitution.

Sincerely,
PATRICK J. LUCEY
Governor

1. Elizabeth Adams was convicted on May 26, 1972 in the County Court for Dane County of the crime of shoplifting and was sentenced to a $50 fine. Ms. Adams was granted an absolute pardon based on no prior or subsequent felony convictions.

2. James Albers was convicted on December 6, 1972 in the Circuit Court for Milwaukee County of the crime of conspiracy to commit arson and was sentenced to 5 years. Mr. Albers was granted an absolute pardon based on his making full restitution and no prior or subsequent felony convictions.

3. Alexander Askenette, Jr. was convicted on March 22, 1967 in the County Court for Shawano-Menominee County of the crime of statutory rape and was sentenced to 3 years probation. Mr. Askenette was granted an absolute pardon based on no prior or subsequent felony convictions and his desire to enter the law enforcement field.

4. Charles Bailey was convicted on July 25, 1970 in the County Court for Racine County of the crime of first degree murder and was sentenced to life imprisonment. Mr. Bailey was granted a commutation of sentence to 50 years based on his

continued assistance to minority and low-income individuals and on the support of community leaders.

5. Norma Bailey was convicted on May 20, 1963 in the Circuit Court for Milwaukee County of the crime of manslaughter and was sentenced to 10 years. Ms. Bailey was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

6. Huntley Barad was convicted on April 24, 1969 in the Circuit Court for Dane County of the crime of criminal damage to property and sentenced to 1 year probation. Mr. Barad was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

7. Walter Beach was convicted on December 17, 1948 in the Municipal Court for Milwaukee County of the crime of carnal knowledge and abuse and was sentenced to 3 years. Mr. Beach was also convicted on May 28, 1954 in the Municipal Court for Milwaukee County of the crime of carnal knowledge and abuse and was given a 10 year sentence. On November 12, 1957 Mr. Beach was convicted in the Municipal Court for Milwaukee County on the charge of burglary and received a 5 year sentence. Mr. Beach was granted a conditional pardon based on a recommendation from the Department of Health & Social Services and no subsequent felony convictions.

8. William Beaver was convicted on April 17, 1964 in the County Court for Milwaukee County of the crime of disorderly conduct and was sentenced to a $100 fine. Mr. Beaver was granted an absolute pardon based on no prior or subsequent felony convictions and on his contribution to his community.

9. Alton Berg was convicted on September 13, 1973 in the County court for Trempealeau County of the crime of 7 counts bribery of public officers and was sentenced to 2 years probation and restitution. Mr. Berg was granted a conditional pardon based on no prior or subsequent felony convictions, his early discharge from supervision and the support of public officials in his community.

10. Theaster Beverly was convicted on December 3, 1966 in the Circuit Court for Milwaukee County of the crime of armed robbery and first degree murder and was sentenced to life imprisonment and 30 years to be served consecutively. Mr. Beverly

was granted a commutation of sentence from life to 50 years based on his institutional adjustment.

11. Herbert Bias was convicted on January 30, 1974 in the County Court for LaCrosse County of the crime of issuing worthless checks and was sentenced to a $20 fine. Mr. Bias was granted an absolute pardon based on his career in the military.

12. Claudia Bonora Radcliffe was convicted on July 27, 1970 in the County Court for Green Lake County of the crime of lewd and lascivious behavior and was sentenced to 1 year probation. Ms. Radcliffe was granted an absolute pardon based on no prior or subsequent felony convictions.

13. Stanley Bowker was convicted on May 11, 1971 in the County Court for Door County of the crime of disorderly conduct and was sentenced to 45 days in the county jail. Mr. Bowker was granted an absolute pardon based on no prior or subsequent felony convictions and for employment opportunities.

14. Roland Brehm was convicted on December 17, 1950 in the County Court for Racine County of the crime of breaking and entering and 2 counts aiding in armed robbery and larceny to property and was sentenced to 5 years, 8 years, 8 years and 3 years to be served concurrently. In addition Mr. Brehm was convicted on May 7, 1962 in the County Court for Racine County of the crime of abandonment and was sentenced to 1 year in the county jail. Mr. Brehm was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

15. Thomas C. Brown was convicted on June 4, 1969 in the County Court for Rock County of the crime of 2 counts arson and was sentenced to 5 years probation. Mr. Brown was granted an absolute pardon based on a recommendation from the Department of Health and Social Services.

16. Robert Brozovich was convicted on December 5, 1973 in the Circuit Court for Milwaukee County of the crime of burglary (ptac) and was sentenced to 8 years. Mr. Brozovich was granted a commutation of sentenced to 2 years based on his good conduct between time of conviction and time of sentencing.

17. Antonio Callender was convicted on July 7, 1970 in the Circuit Court for Dane County of the crime of control of narcotic drug and was sentenced to 3 years. Mr. Callender was granted an

absolute pardon in order to prevent his automatic deportation to Panama.

18. Frank Cardin was convicted on November 5, 1969 in the County Court for Outagamie County of the crimes of delivery of dangerous drug, possession of dangerous drug, possession of narcotic drug and was sentenced to 3 years probation on each count to be served concurrently. Mr. Cardin was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

19. Salvatore Caruso was convicted on March 10, 1968 in the Circuit Court for Dane County of the crime of battery to a police officer and was sentenced to 18 months. Mr. Caruso was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

20. Craig Coopersmith was convicted on September 29, 1972 in the Circuit Court for Dane County of the crime of sale of marijuana and was sentenced to 2 years. Mr. Coopersmith was granted an absolute pardon based on no prior or subsequent felony convictions and on his early discharge from supervision.

21. Michael Coyle was convicted on August 17, 1972 in the Circuit Court for Grant County of the crime of sale and delivery of marijuana and was sentenced to 2 years probation. Mr. Coyle was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

22. Otis Crawford was convicted on August 31, 1953 in the Municipal Court for Racine County of the crime of forgery and was sentenced to 3 years probation. Mr. Crawford was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

23. Charles Cundari was convicted on May 14, 1971 in the Circuit Court for Portage County of the crime of burglary and was sentenced to 18 months probation. Mr. Cundari was granted an absolute pardon based on a recommendation from the Department of Health and Social Services.

24. Diane Delzell was convicted on March 20, 1972 in the County Court for Wood County of the crime of burglary and was sentenced to 3 years probation. Ms. Delzell was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

25. Irving Dorfman was convicted on November 8, 1971 in the Circuit Court for Milwaukee County of the crime of transfer of encumbered property and was sentenced to 2 years probation. Mr. Dorfman was granted an absolute pardon based on no prior or subsequent felony convictions and his early discharge from supervision.

26. Larry Joe Earl was convicted on August 8, 1968 in the Circuit Court for Milwaukee County of the crime of forgery (uttering) and was sentenced to 4 years probation. In addition, Mr. Earl was convicted on September 24, 1968 in the Circuit Court for Milwaukee County of the crime of attempted burglary and was sentenced to 4 years probation. Mr. Earl was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

27. Christ Ehler was convicted on December 21, 1936 in the Circuit Court for Sheboygan County of the crime of assault with intent to murder or rob and was sentenced to 3 years. Mr. Ehler was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

28. Leonard Elbaum was convicted on December 6, 1972 in the Circuit Court for Milwaukee County of the crime of conspiracy to commit arson and was sentenced to 2 years probation. Mr. Elbaum was granted an absolute pardon based on a recommendation from the Department of Health and Social Services.

29. Terry Erdman was convicted on March 6, 1964 in the County Court for Rusk County of the crime of 3 counts burglary and was sentenced to 1 year, 3 years and 3 years to be served concurrently. Mr. Erdman was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

30. Emiliano Felipe-Torres was convicted on May 18, 1966 in the County Court for Waukesha County of the crimes of armed with concealed weapon, conspiracy for attempted robbery and was sentenced to 1 year and 2 years concurrently. Mr. Felipe-Torres was granted an absolute pardon to prevent his automatic deportation to Mexico.

31. Robert Fenn was convicted on February 11, 1972 in the County Court for Sheboygan County of the crime of 2 counts sale of dangerous drug and was sentenced to 2 years probation on each

count to be served concurrently. Mr. Fenn was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

32. James Freund was convicted on July 12, 1965 in the County Court for Winnebago County of the crime of theft and was sentenced to 2 years probation. Mr. Freund was granted an absolute pardon based on no previous or subsequent felony convictions.

33. Allan Giuffre was convicted on March 17, 1969 in the Circuit court for Winnebago County of the crime of unlawful assembly and was sentenced to a $125 fine. Mr. Giuffre was granted an absolute pardon based on no prior or subsequent felony convictions.

34. Laurel Grant was convicted on August 26, 1946 in the Municipal Court for Milwaukee County of the crime of larceny and was sentenced to 1 year probation. Mr. Grant was granted an absolute pardon based on no prior or subsequent felony convictions.

35. Gregory Graycarek was convicted on August 3, 1970 in the County Court for Kenosha County of the crime of theft and was sentenced to 3 years probation. Mr. Graycarek was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

36. Lamared Green was convicted on April 26, 1965 in the Circuit Court for Milwaukee County of the crime of second degree murder and was sentenced to 25 years. Mr. Green was granted a commutation of sentence to time served based on a recommendation from the Department of Health & Social Services.

37. Eugene Gunderson was convicted on January 21, 1971 in the County Court for Langlade County of the crime of possession of stolen property and was sentenced to 1 year probation. Mr. Gunderson was granted an absolute pardon based on no prior or subsequent felony convictions and his need for a pardon for job advancements.

38. Ronald Hand was convicted on May 6, 1963 in the Circuit Court for Milwaukee County of the crime of 4 counts burglary and was sentenced to 2 years probation on each count to be served concurrently and restitution. Mr. Hand was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

39. Dennis Hergan was convicted on May 5, 1967 in the County Court for Milwaukee County of the crime of burglary and was sentenced to 7 years. Mr. Hergan was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

40. James Hillman was convicted on February 27, 1964 in the County Court for Portage County of the crime of breaking and entering and was sentenced to 2 years probation. Mr. Hillman was granted an absolute pardon based on a recommendation from the Department of Health and Social Services.

41. Allen Hunter was convicted on April 14, 1970 in the County Court for Dane County of the crime of criminal damage to property and was sentenced to 4 months in the county jail. Mr. Hunter was granted an absolute pardon based on no prior or subsequent felony convictions and his community efforts.

42. Carl Ibis was convicted on February 1, 1930 in the Municipal Court for Milwaukee County of the crime of abandonment and burglary and was sentenced to 2 years probation on each count to be served concurrently. Mr. Ibis was granted an absolute pardon based on no prior or subsequent felony convictions and his contribution to the community.

43. Frank Jaszczenski was convicted on November 13, 1967 in the Circuit Court for Milwaukee County of the crime of Operating an Auto Without Owner's Consent and was sentenced to 2 years probation. Mr. Jaszczenski was granted an absolute pardon based on no prior or subsequent felony convictions and his desire to enter the law enforcement field.

44. John J. Johnson was convicted on June 15, 1970 in the County Court for Waupaca County of the crime of sale of marijuana and was sentenced to 3 years probation. Mr. Johnson was granted an absolute pardon based on a recommendation from the Department of Health and Social Services.

45. Thomas A. Johnson was convicted on April 19, 1967 in the Circuit Court for Milwaukee County of the crime of sexual intercourse with a child and was sentenced to 1 year probation. Mr. Johnson was granted an absolute pardon based on no prior or subsequent felony convictions.

46. Thomas E. Jones was convicted on July 19, 1971 in the Circuit Court for Winnebago county of the crime of possession of marijuana and sale of dangerous drugs and was sentenced to 1 to 3

years probation to be served concurrently. Mr. Jones was granted an absolute pardon based on a recommendation from the Department of Health and Social Services.

47. Gerald Kasdorf was convicted on September 3, 1969 in the County Court for Dane County of the crime of petty theft and was sentenced to a $50 fine. Mr. Kasdorf was granted an absolute pardon based on no prior or subsequent felony convictions and his desire to enter the educational field.

48. Eugene Kessen was convicted on March 7, 1974 in the Circuit Court for Door County of the crime of 2 counts commercial gambling and was sentenced to 1 year probation on each count and a $1,250 fine on each count. Mr. Kessen was granted a conditional pardon based on a recommendation from the Department of Health and Social Services.

49. Screvin Kirton was convicted on June 8, 1970 in the County Court for Kenosha County of the crime of 2 counts arson, 2 counts burglary (aiding and abetting) and was sentenced to 3 years, 3 years, 1 year and 1 year to be served concurrently. Mr. Kirton was granted a conditional pardon based on no prior or subsequent felony convictions.

50. Karl Knauf was convicted on February 11, 1972 in the County Court for Sheboygan County of the crime of sale of dangerous drug and was sentenced to 2 years probation. Mr. Knauf was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

51. Robert Koss was convicted on March 5, 1959 in the Municipal Court for Winnebago County of the crime of burglary and was sentenced to 15 months. Mr. Koss was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

52. Ronald Kranig was convicted on October 8, 1965 in the County Court for Chippewa County of the crime of burglary and was sentenced to 2 years. Mr. Kranig was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

53. Robert Kreul was convicted on December 20, 1971 in the County Court for Dane County of the crime of possession of marijuana and was sentenced to 1 year probation. Mr. Kreul was granted an absolute pardon based on a recommendation from the Department of Health and Social Services.

54. James Lampkins was convicted on June 6, 1969 in the Circuit court for Milwaukee County of the crimes of first degree murder, attempted murder (ptac) and armed robbery (ptac) and was sentenced to life imprisonment, 30 years and 30 years to be served consecutively. Mr. Lampkins was granted a commutation of sentence to life imprisonment and 30 years and 30 years to be served concurrently based on his adjustment in the institution.

55. **Melvateem** Lampkins was convicted June 6, 1969 in the Circuit Court for Milwaukee County of the crimes of first degree murder, attempted murder (ptac) and armed robbery (ptac) and was sentenced to life imprisonment, 30 years and 30 years to be served consecutively. Ms. Lampkins was granted a commutation of sentence from life to 50 years based on her adjustment in the institution.

56. Robert Lehmann was convicted on March 16, 1971 in the Circuit Court for Dane County of the crime of sale of marijuana and was sentenced to 2 years probation. Mr. Lehmann was granted an absolute pardon based on a recommendation from the Department of Health and Social Services.

57. George Lensing was convicted on January 3, 1967 in the County Court for Sheboygan County of the crimes of indecent liberties with a minor and sexual perversion and was sentenced to 5 years probation on each count to be served concurrently. Mr. Lensing was granted an absolute pardon based on a recommendation from the Department of Health and Social Services.

58. Mark Leroux was convicted on November 8, 1967 in the Circuit Court for Portage County of the crime of 2 counts first degree murder and was sentenced to two terms of life to be served consecutively. Mr. Leroux was granted a commutation of sentence to two terms of life to be served concurrently based on his adjustment in the institution.

59. Candy Levin was convicted on September 25, 1972 in the County Court for Eau Claire County of the crime of shoplifting and was sentenced to a $50 fine. Ms. Levin was granted an absolute pardon based on no prior or subsequent felony convictions.

60. William Lightner was convicted on March 27, 1948 in the Circuit Court for Marinette County of the crime of armed robbery and was sentenced to 3-15 years. In addition, Mr. Lightner was convicted on October 12, 1961 in the Municipal Court for

Milwaukee County of the crime of 3 counts armed robbery and was sentenced to 20 years, 1 year and 1 year to be served concurrently. Mr. Lightner was granted an absolute pardon based on a recommendation from the Department of Health and Social Services.

61. Victor Long was convicted on June 24, 1955 in the Municipal Court for Waukesha County of the crime of operating an auto without owner's consent and was sentenced to 3 years. Mr. Long was granted an absolute pardon based on no prior or subsequent felony convictions.

62. George Lueck was convicted on July 31, 1963 in the Circuit Court for Milwaukee County of the crime of indecent behavior with a child and was sentenced to 3-1/2 years. Mr. Lueck was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

63. Robert Lee Lukesh was convicted on August 28, 1954 in the Circuit Court for Marinette County of the crimes of carnal knowledge and abuse and operating an auto without owner's consent and was sentenced to 2 years and 2 years to be served concurrently. In addition, Mr. Lukesh was convicted on February 11, 1958 in the Municipal Court for Brown County of the crime of escape and was sentenced to 2 years to be served consecutively. Mr. Lukesh was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

64. Clarence W. E. Luther was convicted on June 27, 1958 in the Municipal Court for Waukesha County of the crime of unlawfully accepting money and was sentenced to a $500 fine. Mr. Luther was granted an absolute pardon based on no prior or subsequent felony convictions and the contributions he made to his community.

65. Joseph Magestro was convicted on December 22, 1943 in the Municipal Court for Milwaukee County of the crime of burglary and was sentenced to 1 year probation. Mr. Magestro was granted an absolute pardon based on no prior or subsequent felony convictions.

66. George Messner was convicted on February 27, 1932 in the Circuit Court for Sheboygan County of the crime of breaking and entering and was sentenced to 1 year probation. Mr. Messner was granted an absolute pardon based on no prior or subsequent

felony convictions and on the contributions he has made to his community.

67. James McBrair was convicted on October 5, 1967 in the Circuit Court for Waushara County of the crime of 4 counts first degree murder and was sentenced to 4 concurrent life terms. Mr. McBrair was granted a commutation of sentence to 50 years on each count to be served concurrently based on his adjustment in the institution.

68. James McKethan was convicted on September 11, 1973 in the Circuit Court for Milwaukee County of the crime of armed robbery and was sentenced to 20 years. Mr. McKethan was granted a commutation of the sentence to 12 years based on his adjustment in the institution.

69. Robert Morris was convicted on June 16, 1972 in the Circuit Court for Dane County of the crime of sale of cocaine and was sentenced to 1 year probation plus restitution. Mr. Morris was granted a conditional pardon based on a recommendation from the Department of Health and Social Services.

70. Margaret Mosberger was convicted on August 28, 1972 in the County Court for Dane County of the crime of aiding and abetting to defraud (forgery) and was sentenced to 1 year probation. Ms. Mosberger was granted an absolute pardon based on no prior or subsequent felony convictions.

71. Roger Neidermire was convicted on January 9, 1946 in the County Court for Polk County of the crime of arson and was sentenced to 4 years probation. Mr. Neidermire was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

72. Ronald Lee Pagel was convicted on May 17, 1968 in the County Court for Dane County of the crime of burglary and was sentenced to 3 years probation. Mr. Pagel was granted an absolute pardon based on no prior or subsequent felony convictions.

73. Allen Parness was convicted on March 16, 1964 in the Circuit Court for Milwaukee County of the crime of 5 counts armed robbery and concealed identity and was sentenced to 25 years on each count to be served concurrently. Mr. Parness was granted a commutation of sentence to 5 counts of time served based on a recommendation from the Department of Health & Social Services.

74. Roy Patrick was convicted on November 27, 1972 in the County Court for Rock County of the crimes of burglary and theft and was sentenced to 3 years probation on each count to be served concurrently. Mr. Patrick was granted an absolute pardon based on his career in the law enforcement field.

75. Earl Payne was convicted on March 3, 1966 in the Circuit Court for Milwaukee County of the crime of first degree murder and was sentenced to life imprisonment. Mr. Payne was granted a commutation of sentence to 50 years based on his adjustment in the institution.

76. Julius Perrault was convicted on December 20, 1974 in the County Court for Kenosha County of the crime of sexual intercourse with a minor and was sentenced to a $250 fine. Mr. Perrault was granted a conditional pardon based on a recommendation from the Department of Health & Social Services.

77. Russell Ratzlaff was convicted on May 16, 1972 in the Circuit Court for Rock County of the crime of conspiracy to restrain trade and was sentenced to a $1,000 fine. Mr. Ratzlaff was granted a conditional pardon based on no prior felony convictions and on a recommendation from the district attorney.

78. Robert Reed was convicted on December 13, 1971 in the County Court for Walworth County of the crime of possession of dangerous drug and was sentenced to a $125 fine. Mr. Reed was granted an absolute pardon based on no prior or subsequent felony convictions.

79. Kenneth Riegert was convicted on May 27, 1958 in the Circuit Court for Taylor County of the crime of breaking and entering and was sentenced to 1-1/2 year. Mr. Riegert was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

80. Maynard Richards was convicted on March 13, 1959 in the Circuit Court for Milwaukee County of the crime of burglary and was sentenced to 1 year. In addition, Mr. Richards was convicted on April 30, 1951 in the Municipal Court for Milwaukee County of the crime of 3 counts unarmed assault and robbery and was sentenced to 2 years on each count to be served concurrently. Mr. Richards was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

81. Leon Robnolt was convicted on June 15, 1943 in the Municipal Court for Milwaukee County of the crime of operating an auto without the owner's consent and was sentenced to 2 years probation. In addition, Mr. Robnolt was convicted on January 3, 1947 in the District Court for Milwaukee County of the crime of larceny and was sentenced to 2 years probation. Mr. Robnolt was granted an absolute pardon based on no subsequent felony convictions.

82. Noah Rosenberg was convicted on March 13, 1969 in the County Court for Dane County of the crime of petty theft and was sentenced to a $50 fine. Mr. Rosenberg was granted an absolute pardon based on no prior or subsequent felony convictions.

83. Richard Ross was convicted on October 13, 1967 in the County Court for Marathon County of the crime of 2 counts transfer of mortgaged property and was sentenced to 2 years concurrently. Mr. Ross was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

84. Donald Rubin was convicted on May 5, 1972 in the County Court for Milwaukee County of the crime of criminal damage to property and possession of a molotov cocktail and was sentenced to 2 years probation on each count to be served concurrently. Mr. Rubin was granted an absolute pardon based on no prior or subsequent felony convictions.

85. Ronald Ryskoski was convicted on March 17, 1969 in the Circuit Court for Portage County of the crime of burglary and was sentenced to 1 year probation. Mr. Ryskoski was also convicted on April 22, 1969 in the Circuit Court for Portage County of the crime of contributing to the delinquency of a minor and was sentenced to 6 months probation. In addition, Mr. Ryskoski was convicted on April 8, 1970 in the Circuit Court for Portage County of the crime of 3 counts burglary and was sentenced to 2 years on each count to be served concurrently. Mr. Ryskoski was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

86. Michael Schoenfield was convicted on July 7, 1969 in the County Court for Milwaukee County of the crimes of uttering a false prescription and possession of dangerous drugs and was sentenced to 1 year on each count to be served consecutively. Mr. Schoenfield was granted an absolute pardon based on no

subsequent felony convictions and his participation in drug abuse programs.

87. John Schuster was convicted on November 28, 1967 in the County Court for Dane County of the crime of theft and was sentenced to a $25 fine. Mr. Schuster was granted an absolute pardon based on no prior or subsequent felony convictions.

88. Harold Schuckhart was convicted on March 10, 1970 in the County Court for Outagamie County of the crime of burglary and was sentenced to 2 years. Mr. Schuckhart was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

89. Oliver Steinberg was convicted on November 27, 1972 in the County Court for Dane County of the crime of 2 counts endangering safety by conduct regardless of life and was sentenced to 5 years and 5 years to be served consecutively. Mr. Steinberg was granted a commutation of sentence to 5 years and 5 years to be served concurrently based on his institutional adjustment and the support of his community.

90. Clarence Sterbenz was convicted on September 17, 1954 in the Circuit Court for Juneau County of the crime of breaking and entering and was sentenced to 1 year probation. In addition Mr. Sterbenz was convicted on January 16, 1956 in the Circuit Court Wood County of the crime of breaking and entering and was sentenced to 2 years. Mr. Sterbenz was granted an absolute pardon based on no subsequent felony convictions and contributions to his community.

91. Christine Stimers (Holmes) was convicted on February 18, 1971 in the County Court for Dane County of the crime of shoplifting and was sentenced to a $50 fine. Ms. Holmes was granted an absolute pardon based on no prior or subsequent felony convictions.

92. Herbert Telford was convicted March 28, 1966 in the County Court for Rock County of the crime of 2 counts grand larceny and was sentenced to 5 years on each count to be served concurrently on probation. Mr. Telford was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

93. Arthur Vara was convicted December 3, 1969 in the County Court for Waukesha County of the crime of first degree murder and was sentenced to life imprisonment. Mr. Vara was

granted a commutation of sentence to 50 years based on his institutional adjustment.

94. Michael Wagner was convicted on February 23, 1970 in the County Court for Eau Claire County of the crime of resisting an officer and theft and was sentenced to 1 year probation on each count to be served concurrently and a $175 fine. Mr. Wagner was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

95. John Webster was convicted on June 1, 1964 in the County Court for Rock County of the crime of first degree murder and was sentenced to life imprisonment. Mr. Webster was granted an absolute pardon based on the progress he had made and on the support by his supervising agents.

96. Robert N. Williams was convicted on October 3, 1974 in the County Court for Rock County of the crime of disorderly conduct and was sentenced to 1 year probation. Mr. Williams was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

97. Frank Wright was convicted on May 13, 1969 in the County Court for Sheboygan County of the crime of sexual perversion and was sentenced to 3 years. Mr. Wright was granted an absolute pardon based on a recommendation from the Department of Health & Social Services.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 20, 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 Thomas G. Krajewski, of Waunakee, as a member of the Board of Veterans' Affairs, to succeed Charles Kuder, to serve for the term ending May 1, 1977.

Sincerely,
PATRICK J. LUCEY
Governor

Read and referred to committee on Governmental and Veterans' Affairs.

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 24, 1976.

To the Honorable, the Senate:

I am returning Senate Bill 128 without my approval.

The bill seeks to grant to coroners and medical examiners complete access to all pertinent medical records they might seek in conducting their investigations. Moreover, the bill provides that any such records shall be considered privileged and not open to public inspection while in the possession of the medical examiner or coroner.

Under current law, a relative of a deceased person or a hospital or doctor who has cared for that person may require a coroner or medical examiner to show cause through standard legal proceedings (i.e., by subpoena or through an inquest) before surrendering medical records. The bill would remove the basic due process steps which now must be a part of the discovery process. Though there is clearly a public interest to be served in facilitating access by coroners and medical examiners to pertinent medical records, it is nonetheless inappropriate to remove all the due process protections available to those who have legitimate reasons to refuse to release medical records under their control.

Under current law, a family which does not object to the release of the medical records of a deceased person may comply with an official request for them without the need for any legal proceedings. But if a family has an interest in protecting those records, they have the legal right to object to a coroner's or medical examiner's request and to require him to demonstrate the need for the information he seeks. That right should be protected. Senate Bill 128 eliminates it.

The other aspect of the bill is more desirable. It requires that all medical records provided to a medical examiner or coroner be considered privileged and not open to public inspection. This provision is in response to the current situation in which such records are open to the public while in the custody of a coroner or medical examiner.

However, this provision by itself does not protect the privacy of the family of a deceased person. Though the records themselves are

privileged, the information they contain might well become a part of a coroner's or medical examiner's report which is a public document. The need to preserve the due process protection of the current law is therefore the same whether the medical records are privileged or not.

Recent years have demonstrated that in too many instances the privacy which we all cherish has been set aside in favor of government intrusion into matters which should not be in the public domain. This bill represents another of those instances. The extra time and expense involved in the inquest process is a small price to pay for preserving the privacy of those whose rights would be compromised if this bill were to become law.

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 24, 1976.

To the Honorable, the Senate:

I am returning Senate Bill 198 without my approval.

With one exception, Senate Bill 198 is identical to Assembly Bill 248 which has already been signed into law. The basic purpose of both bills is to reform our state's Woodland Tax Law so that it better serves the purposes for which it was enacted. Specifically, both bills provide for the following:

(1) The contract period is increased from 10 to 15 years with the provision that the contract can only be renewed by mutual consent of the owner and of the Department of Natural Resources.

(2) The landowner tax is increased from 20c per acre to 40c per acre on lands entered between 1977 and 1982. Thereafter, the rate would be adjusted at ten year intervals.

(3) A penalty is required for lands withdrawn from the program prior to the end of the contract period although landowners would be allowed to voluntarily withdraw.

(4) A management plan approved by the DNR must be submitted with each application. The plan must be followed to avoid declassification of lands entered in the program.

(5) A parcel of land must consist of at least ten acres in order to qualify for the woodland tax program.

I believe these reforms to be necessary and in the public interest. Senate Bill 198 differs from Assembly Bill 248 in that it "grandfathers" in nearly 7,000 parcels of land that are already enrolled pursuant to the woodland tax law.

Parcels currently enrolled under the woodland tax program would continue to be given special status even though it was less than 10 acres in the area. Without the grandfather clause, the enrollment of a parcel under ten acres would continue only for the duration of the current woodland tax contract applicable to that parcel. That is as it should be. There is no public interest served by permitting the continued enrollment of parcels under ten acres.

Moreover, the language of the grandfather clause in SB 198 is mandatory. It provides that lands of less than 10 acres "shall" continue to be taxed under the program. The provision contradicts section 77.16(4) of the statutes which states that: "If at the end of 15 years the contract is not renewed by mutual consent, (underlining mine) the land is declassified and shall be removed from the provisions of this section."

An anomalous situation is created whereby contracts relating to parcels of over 10 acres are renewable only by mutual consent of the landowner and DNR while parcels of less than ten acres are automatically renewed if a landowner so desires. This is a distressing provision in a bill which has as one of its basic purposes the elimination of unreasonably small parcels.

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 24, 1976.

To the Honorable, the Senate:

I am returning Senate Bill 287 without my approval.

The language of Senate Bill 287 is for the most part already part of the statutes. Chapter 39, Laws of 1975 (the budget bill), provides that whenever an engineering, architectural service, or

construction contract is in the amount of $15,000 or more, any change orders of more than $15,000 must be approved by the governor. I agree that such change orders should be subject to review and approval by the governor.

However, Senate Bill 287 takes the sound principles of the budget bill a step further. It provides that once the $15,000 threshold is reached in the total amount of change orders, all subsequent change orders must be approved by the governor, whatever the amount. This provision goes beyond a reasonable check on cost growth and creates an administrative monstrosity which is unlikely to achieve its worthy objective.

It is estimated by the Bureau of Facilities Management that this provision will cause an eightfold increase in the volume of change orders requiring gubernatorial approval. The inevitable result of such a provision will be that what should be a careful review of increased costs will become odious duty to be dispensed with as quickly as possible.

For example, let us suppose that a contract in the amount of $300,000 passes the $15,000 threshold in change orders. An additional change order is submitted in the amount of $150, another in the amount of $200, another in the amount of $100, and so on. Each such change order would require gubernatorial review and approval, even though it would amount to less than one-tenth of one percent of the total contract. In my view such a process is without merit and would do little, if anything, to curb cost growth.

Moreover, the time it would take to conduct the review process as mandated in the bill would inevitably impact on the timely delivery of contractual services. The cost implications of delay could be every bit as serious as the cost implications of the change orders themselves.

Though I am supportive of all reasonable efforts to limit the cost of state government contracts, I believe the provisions of Senate Bill 287 do not meet the test of common sense. I hope the Legislature will concur in this judgement and work with me to develop new methods to restrict the use of change orders.

Sincerely,

PATRICK J. LUCEY

Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 24, 1976.

To the Honorable, the Senate:

I am returning Senate Bill 357 without my approval.

The basic purpose of the bill is to repeal the statutory requirement that a hearing held by the Real Estate Examining Board for the purpose of denying a real estate broker's or salesman's license when an applicant fails a licensing examination. That intent was achieved by the enactment of Chapter 224, Laws of 1975 (the annual review bill), which contained the following provision: "No public hearing may be required for an order denying a license to an applicant who receives a failing grade on an examination as established under s. 452.05(2)." The annual review bill also provides, as does Senate Bill 357, that a failing applicant may review his or her examination results in a manner established by rules of the Real Estate Examining Board.

The bills differ in two respects. First, Section 3 of Senate Bill 357 contains the following provision: "No rule as defined under s. 227.01 by the examining board may take effect until it has been submitted to and approved by the senate commerce committee and the assembly commerce and consumer affairs committee." This provision applies not only to the rules promulgated under Senate Bill 357, but to all rules promulgated by the Real Estate Examining Board. In effect, the provision delegates to standing committees of the Legislature the entire rulemaking function of the board.

More specifically, it delegates the authority to veto any proposed rules of the real estate examining board to a majority of a single standing committee of one house of the Legislature.

Second, Senate Bill 357 requires that public hearings of the Real Estate Examining Board be conducted by the board, a member of the board, or an authorized employee of the board. The budget review bill provides that hearings may be conducted by a person, not necessarily an employee, authorized by the board. Current law gives the board the flexibility to hire outside hearing examiners in those instances when their workload requires it.

In all, the provisions of the annual review bill achieve the essential purposes of Senate Bill 357. Because of the objectionable provisions enumerated above, I am returning Senate Bill 357 without my approval.

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 25, 1976.

To the Honorable, the Senate:

I am returning Senate Bill 336 without my approval.

The bill's technical deficiency, together with its fiscal administrative and policy implications makes this legislation unacceptable.

It is my understanding that the bill was intended to raise the legally permissible weight for a vehicle transporting livestock, bulk products, or peeled or unpeeled forest products cut crosswise on the interstate system. Under present state law, despite the fact that on Wisconsin class "A" highways these products may be carried in loads up to 74,500 pounds (78,500 pounds for forest products), these products were subject to the same 73,000 pound maximum applicable to all vehicles in Wisconsin on the interstate system.

However, recently the federal government raised the maximum weight tolerance on the interstate system from 73,280 pounds to 80,000 pounds. To make that change effective on the Wisconsin interstate highways would require state legislation. As introduced, Senate Bill 336 would have permitted vehicles carrying these limited types of products to carry the same weights which they could on class "A" highways, that is, 74,500 pounds (78,500 pounds for forest products), when traveling on interstate highways.

Senate Amendment 1 was necessary to comply with federal law limiting the maximum single axle weight to 20,000 pounds on interstate highways.

Assembly Amendment 1 was apparently added to permit vehicles carrying these products to transport 80,000 pounds, instead of 74,500 pounds (78,500 pounds for forest products). However,

there is nothing which clearly limits the application of Assembly Amendment 1 to only carriers of livestock, bulk products and forest products. Section 348.20 of the statutes is entitled, "Policy in prosecuting weight violations." While subsection (3) presently deals only with vehicles transporting livestock, bulk products and forest products Senate Bill 336, as amended by Assembly Amendment 1, is not clearly limited to these vehicles.

While general rules of statutory construction and interpretation favor the presumption that the Legislature intended only that transporters of livestock, bulk products and forest products be permitted to reach the 80,000 pound maximum, there is no assurance that a court might not be persuaded that all vehicles were permitted to carry 80,000 pounds, at least on the interstate system. The full scope of Senate Bill 336 is simply not clearly stated.

In addition to this technical deficiency, the fiscal impact is unacceptable. While the size cannot be stated with certainty, the direction is clear -- there will be a substantial negative fiscal impact. Yet, Senate Bill 336 provides no revenue mechanism to offset the necessary increased costs for construction and maintenance of the interstate system. It is poor public policy to provide what amounts to a "free ride," particularly at a time when the transportation moneys are scarce. We should be seeking increased revenue for transportation needs, not further depleting a shrinking revenue source.

The best estimate of the fiscal effect of Senate Bill 336, as introduced, was stated in the fiscal note: "Pavement and bridge maintenance costs could be increased by 10% over the current costs for those activities on affected portions of the interstate highway system." This fiscal impact was based on the assumption that Senate Bill 336 would add only 1,500 pounds to the present maximum of 73,000 pounds permitted on the interstate system. As amended, and finally passed, Senate Bill 336 would permit a 7,000 pound increase on the interstate system. Thus, the fiscal impact would be even worse than originally estimated.

Finally, the administrative problems associated with the enforcement of existing weight statutes are numerous. In large part, this is due to the myriad of exemptions. Each particular exemption only compounds the difficulty. Not only does Senate Bill 336 amend a section of the statutes which is difficult to administer, but as indicated above, it does so in a manner that makes it impossible to state the full extent of the exemption.

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 27, 1976.

To the Honorable, the Senate:

I am returning Senate Bill 422 without my approval.

It is my understanding that the bill, as amended, was intended to require the state to pay 90 per cent of the cost of relocating or replacing metropolitan sewerage district or municipal utility facilities in those cases where such facilities have to be displaced from existing state highway rights of way in connection with state administered freeway construction. I would not object to legislation which clearly accomplished that intention.

The bill, however, is marked by three serious flaws that will produce adverse and unintended results. First, the bill requires both metropolitan sewerage districts and municipal utilities to pay a share of relocation costs in situations where the state is now required to pay all the relocation costs. For example, if a metropolitan sewerage district's sewer line is now located on (1) private property under an easement or (2) on property owned by the metropolitan sewerage district itself and either property is being acquired for state highway purposes, then the metropolitan sewerage district is now paid by the state for the total utility relocation or replacement cost. Under this bill, however, the metropolitan sewerage district would have to pay 10 per cent of the relocation costs now paid entirely by the state.

Second, while the bill gives municipal utilities the same cost sharing benefits as metropolitan sewerage districts when facilities are being displaced from existing state highway rights of way, the

bill does not impose on municipal utilities the liability for the 10 per cent share of the relocation costs. Thus, in those areas of Wisconsin within the jurisdiction of one of the three metropolitan sewerage districts organized under sections 66.20 to 66.26 of the Statutes, the bill would require the metropolitan sewerage district to pay the municipal utility's share of the relocation costs. For example, in the case of freeway construction in the Madison area requiring relocation of municipal water lines, this legislation, on its face, provides that 90 percent of the municipal water utility relocation costs would be borne by the state and 10 per cent of the costs would be borne by an agency not even connected with the project or the municipal water utility, that is, by the metropolitan sewerage district. Also, in those areas outside metropolitan sewerage districts, the bill is silent as to who is responsible for the 10 per cent share.

Third, the absence of an adequate definition of "replacement or relocation costs" will make the policy of the bill difficult to administer and will result in inequities. Under current administrative practice and federal regulations, the cost of utility relocation is generally the actual cost of replacing the facilities in a new location less (1) the salvage value of the old facilities, (2) the used life credit on the old facilities, and (3) the cost of any improvements. Under this bill, however, a local utility will receive a bonus if the bill is read to exclude any consideration of these cost reducing factors. In addition, the lack of a precise definition of costs may jeopardize the state's eligibility for full federal financial participation in the cost of utility relocation projects.

The bill's defects could be corrected by: (1) narrowing the application of its provisions to those cases where metropolitan sewerage district and municipal utilities are already located on state highway right of way prior to the commencement of freeway construction; (2) a better apportioning of the relocation costs between the proper parties; and (3) including a precise definition of the factors to be considered in determining the actual amount of the costs which are subject to the cost sharing formula.

Sincerely,

PATRICK J. LUCEY

Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 28, 1976.

To the Honorable, the Senate:

I am returning Senate Bill 230 without my approval.

The bill authorizes and directs the Department of Natural Resources to sell or exchange for fair market value a 1.38-acre parcel of land on Rest Lake in the Northern Highland State Forest.

The parcel of land in question was purchased by the state in 1909 for forestry purposes. The original lease was granted in 1920, along with many other leases on state-owned islands, forests and park lands. In 1954, the Conservation Commission studied the lease program and established a policy to terminate the 147 leases in existence at the earliest reasonable date, but to permit the lease holder an opportunity to utilize any buildings on the property for a reasonable time thereafter. The lease on this particular parcel was terminated on December 31, 1972, and the occupants were given until January 1, 1974, to remove their personal property.

On September 20, 1974, the Department of Natural Resources Board denied a request to sell the land stating that it was contrary to board policy and would constitute a breach of faith with the many lessees who had already vacated state-owned lands since 1954.

Moreover, it appears that sale of the land would be in violation of section 6f of the federal Land and Water Conservation (LAWCON) Fund Act which states: "No property acquired or developed with assistance under this section shall, without the approval of the Secretary of the Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonable equivalent usefulness and location."

The U.S. Solicitor General has given an opinion that where LAWCON funds have been used to purchase or develop any portion of a property such as the Northern Highland State Forest, the provision would apply to the entire property.

The policy enunciated by the DNR Board concerning the sale of state-owned lands is defensible on its own terms and necessary because of federal law. Nonetheless, in circumstances such as these, it is important to acknowledge that the current occupants of the land have resided there during the summer months for many years and are entitled to every consideration. Because of those special circumstances, the Secretary of the Department of Natural Resources has assured me that he will grant to the present occupants of the property a lifetime lease. I believe that that assurance constitutes a reasonable compromise between the policies of the department and the human requirements of the land's occupants.

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 28, 1976.

To the Honorable, the Senate:

I am returning Senate Bill 605 without my approval.

This bill seeks to improve the operating efficiency of municipal property assessment boards of review. It would allow as many as nine citizen members to be appointed to the boards (currently all boards consist of five members) and decreases the number constituting a quorum for hearings from a majority to two members. I am concerned that the bill, as drafted, poses a serious constitutional problem and could jeopardize the rights of property owners appearing before local boards of review.

I share the Legislature's goal of improving municipal board of review procedures. I have previously signed two bills adopted by the 1975 Legislature which made very worthwhile changes in this regard. Chapter 151 (Assembly Bill 171) requires that all meetings of the review boards be open to the public and that a recording or stenographic notes be taken of all proceedings. Chapter 212 (Assembly Bill 199) enhances the opportunity of property owners to appeal board of review findings to the Department of Revenue.

Unlike the improvements advanced by these two bills, I am concerned that Senate Bill 605 may actually jeopardize the interests of taxpayers and violate the due process clause of the United States Constitution. Senate Bill 605 creates the possibility that a nine-member board may sometimes base its decision on the impressions of as few as two board members. The bill contains no safeguards to assure that the increased efficiency it envisions would not be at the expense of the due process rights of appellants.

The absence of such safeguards is in contrast to requirements imposed on state agency officials participating in a decision on a contested matter. Section 227.12 provides that state officials may not vote in such decisions unless: they have heard or read all evidence; or they have read a summary of the evidence prepared by the person conducting the hearing on the matter, together with his or her recommendation. Parties to the matter are allowed to respond orally and in writing to such summaries.

These statutory guidelines properly address the concern that state officials not in attendance at a hearing on an issue become familiar with the matter at hand before participating in a decision. This procedure protects the due process rights of parties to a case and creates a reasonable assurance that persons voting on an issue are acquainted with the evidence and opinions offered at the public hearing.

I am convinced that effective safeguards, possibly similar to those provided in s. 227.12, must be included in any proposal which makes changes as sweeping as those contained in Senate Bill 605. In fact, existing statutes authorize a procedure in cities of the first class which raises these same due process problems. I have directed the Department of Revenue to review these existing laws to determine if legislation addressing this problem should be introduced.

Separately, I pledge the cooperation of my administration to members of the Legislature and representatives of local government who seek to improve the operating efficiency of municipal boards of review while at the same time protecting the due process rights of those appearing before such boards. Careful thought must be given to safeguards to assure that both the rights of appellants and the efficiency of the boards are promoted.

I would add that some may believe that Chapter 151, cited above, will adequately protect the rights of appellants by requiring that records or stenographic notes be kept of all board meetings.

However, there is no requirement that board members not present at a hearing consult this record before voting on an issue. Moreover, stenographic notes and tape recordings are very imperfect records for this purpose. Both would be time-consuming to consult (thereby eliminating any efficiency gains conferred by the bill). Also, stenographic notes are only useful after they have been transcribed - - often at considerable expense - - and recordings can be difficult to follow because it is not always easy to determine who is speaking.

I should also note that the bill contains what appears to be a technical error. The Legislative Reference Bureau analysis indicates that the bill is intended to broaden board membership in all municipalities - - towns, villages, and cities. However, as drafted, the bill changes the membership limit only in villages and cities - - not towns (see Section 1).

I reiterate my desire to seek legislation which would allow the goals of Senate Bill 605 to be met without jeopardizing the due process rights of appellants.

I ask your concurrence in my decision to disapprove this proposal.

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 20, 1976.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
139 (partial veto)	344	May 20, 1976

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 20, 1976.

To the Honorable, the Senate:

I have approved Senate Bill 139 as Chapter 344, Laws of 1975, and deposited it in the office of the Secretary of State.

Senate Bill 139, the victims of crime bill, is landmark legislation. It provides compensation awards up to $10,000 to persons who are the victims of serious crimes or to persons who are injured in attempting to prevent the commission of crimes or to apprehend suspected criminals.

The bill will minimize the hardships imposed on victims of crime who might suffer injury, death or loss of wages. It provides recognition for the first time that society has a responsibility to those who suffer unfairly as the result of crime.

I have exercised the partial veto in two instances which I believe will strengthen the bill and ensure that it is administered fairly and humanely.

Section 3 of the bill creates s. 949.08(3) of the statutes which provides that "Orders for payment of awards may be made only as to injuries or deaths resulting from incidents or offenses occurring on or after January 1, 1976." Under this provision of the bill, eligible victims of crime could be compensated as the result of crimes committed after January of this year.

The bill was introduced at my request on February 6, 1975. At that time, it was contemplated that the bill would become law sometime during that calendar year and that there would be sufficient time between its enactment and its actual implementation to permit the Department of Industry, Labor and Human Relations to hire the necessary staff and complete its rulemaking procedures. The January 1, 1976, date in the bill was based on that assumption.

I have therefore exercised the partial veto so that compensation will be provided for victims of crime which was committed "after 1976." (For practical purposes, the effective date of the bill becomes January 1, 1977.)

In the absence of such a change, the Department of Industry, Labor and Human Relations would be faced with an immediate

backlog of all the compensable crimes committed during the last several months. This is a situation which was not contemplated when the bill was drafted and one which could lead to hasty decisions made in the crucial first months of the program.

Because the victims of crime legislation is such an important addition to our laws, I believe that the rules under which it operates should be made carefully and the precedents which are established in the early decisions should be the result of careful deliberations made without the pressure generated by a large backlog of undecided cases.

Section 3 of the bill also creates s. 949.11(1)of the statutes which provides that "Upon receipt of an application under s. 949.04, the department shall fix a time and place for a hearing and shall give notice thereof to each interested party." The effect of this provision is to require that all claims, regardless of their merit, would have to be settled by the hearing process. This requirement robs the department of the flexibility which is needed to administer the compensation efficiently.

In many cases, claims could be settled without requiring a formal hearing, and thus administrative costs could be reduced. The option of settling claims prior to formal hearing is particularly important in determining eligibility for the program. For example, in New York, in 1970-71 (the fourth year of the program), 58% of all claims settled received no compensation and over half of these were denied either because of ineligibility or a refusal on the claimant's part to supply information in order to determine eligibility. In most cases, the determination of eligibility could be accomplished by an investigatory process rather than by the much more expensive hearing process. For that reason, I have deleted the language requiring a hearing for the processing of each claim application.

Sincerely,

PATRICK J. LUCEY

Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 21, 1976.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
585	345	May 21, 1976

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 24, 1976.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
368	346	May 24, 1976
204	360	May 24, 1976
521	361	May 24, 1976
522	362	May 24, 1976
525	363	May 24, 1976
579	364	May 24, 1976
652	365	May 24, 1976
62	366	May 24, 1976
690	367	May 24, 1976
747	368	May 24, 1976

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 25, 1976.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
16	371	May 25, 1976
632	372	May 25, 1976
643	373	May 25, 1976
631	374	May 25, 1976
642	375	May 25, 1976
699	376	May 25, 1976

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 27, 1976.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
114	386	May 27, 1976
135	387	May 27, 1976
306	388	May 27, 1976
415	389	May 27, 1976
488	390	May 27, 1976
828	391	May 27, 1976

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 28, 1976.

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Chapter No.	Date Approved
126 (partial veto)	395	May 28, 1976
130 (partial veto)	396	May 28, 1976
418 (partial veto)	397	May 28, 1976
38	403	May 28, 1976
105 (partial veto)	404	May 28, 1976
106 (partial veto)	405	May 28, 1976
356	406	May 28, 1976
528	407	May 28, 1976
811	409	May 28, 1976

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 28, 1976.

To the Honorable, the Senate:

I have approved Senate Bill 126 as Chapter 395, Laws of 1975, and deposited it in the office of the Secretary of State.

This bill represents the culmination of a long effort by many diverse groups to agree upon a program of bilingual-bicultural education for limited-English speaking students in Wisconsin. That effort has resulted in a required program of bilingual-bicultural education and an optional expanded program which are both aidable from a new appropriation established for this purpose. The beneficiaries of this legislation, which takes us one step closer to equal educational opportunity, will be provided a transitional educational experience that will enable them to reach their

individual potential as students and individuals in our competitive society.

This legislation follows in the tradition of leadership that Wisconsin has shown over the last decade in the area of primary and secondary education. The implementation and administration of this bill will require a continued effort on the part of local educational agencies, the Department of Public Instruction and other interested groups. At a time when local school districts are asking for an end to new mandates, these new requirements will necessitate an understanding of its basic importance to individual students.

There are provisions in the bill that I cannot agree with fully but which are essential in order to make it workable and other provisions that preserve the basic compromises which made the bill possible. It is with reluctance, for example, that I am supporting categorical funding for this new program. I would hope that in time these payments could be made on the basis of need which is established in the general school aid formula. In the initiation of this program, however, categorical funding will assist local districts in meeting their responsibilities to limited-English speaking pupils.

The procedure for identifying limited-English speaking pupils, assuring parental consent for their placement in an appropriate program, and the finalizing of programs prior to the commencement of school is reasonable and straightforward. One weakness in the placement procedure, that I will propose be corrected, is the fact that where the "failure to place" a student has occurred, the timing of appeal can interfere with a student's placement as of the first day of classes. This point can and should be corrected.

I am encouraged to see that local advisory committees can be established which would increase parent involvement in the educational programs of their children. This is a goal which I am confident will increase the interest and performance of students in their academic subject areas.

Senate Bill 126 offers a new approach toward increasing student performance and achievement. Its goals are far reaching although its requirements are moderate and accompanied by state categorical aids. There are provisions in the bill which I have chosen to veto in an effort to strengthen its overall objectives and in order to make it consistent with associated policies in elementary and secondary education. They include the following:

(1) Section 115.977 would allow a school district to use regular certified personnel in lieu of bilingual personnel if the latter are not available. Although this may appear to be a reasonable provision, it could easily lead to unnecessary substitutions which would clearly undermine the purposes of this legislation.

I believe that school districts should be required to employ bilingual personnel for such a program particularly in view of the phase-in of mandated programs. This requirement will insure that this program is properly staffed during a period of declining enrollments with persons whose training is specific to bilingual students needs.

(2) Section 115.993 contains wording that was included originally in Chapter 115, from which many of the provisions in this legislation are taken. That wording has since been eliminated from Chapter 115 since it establishes a requirement for local reporting to the state which is unnecessary. Therefore, I have stricken this language from Senate Bill 126 in order to eliminate the requirement concerning program receipts.

(3) Section 115.995 establishes two separate rates for payment of categorical aid. It is unreasonable to establish 100% reimbursement to school districts that are in fact better able to provide these programs from local resources than those districts that would be aided at 70%. For this reason, I have item vetoed the 100% reimbursement rate.

(4) Section 9 of the bill provides an appropriation to the University of Wisconsin that can easily be absorbed within their base of $238,000,000. For this reason, I have item vetoed these additional funds from Senate Bill 126.

(5) Section 6 of the bill would allow the exclusion of all costs associated with the legislation from cost controls. Since categorical funding has been left in the bill, this provision is not necessary. This is due in part to the fact that costs for programs already being offered will be included in a school district's base, and thus there will probably be excess latitude provided to such districts as a result of the new state funding.

(6) Section 5m of the bill would provide advances in state aid since this program will be paid as a reimbursement. Over the last two years, the administration of advance aid payments has become so complex that it no longer is possible to provide that option.

School districts should be able to provide these programs without advance funding and therefore I have item vetoed this provision.

(7) Section 10 of the bill would require prior legislative approval of administrative rules under this act. I have consistently disapproved these provisions in bills which have reached my desk. I do not believe that prior legislative approval of administrative rules is an appropriate means of ensuring compliance with legislative intent.

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 28, 1976.

To the Honorable, the Senate:

I have approved Senate Bill 130 as Chapter 396, Laws of 1975, and deposited it in the office of the Secretary of State.

I share the Legislature's desire that the scope of the prison industries program be broadened to permit the Department of Health and Social Services to bid on contracts and subcontracts with nonprofit organizations in addition to the present authorization for the submission of bids on contracts and subcontracts with the state and its political subdivisions and any tax-supported institution or agency. Further, I concur that inmate wage standards for the prison industries program should be based on the productivity of the work the inmate performs. I recognize, too, that Senate Bill 130 will result in higher wages for inmates working in the industries area, thus permitting them to accumulate some additional funds prior to release.

There are, however, some aspects of the bill which I find objectionable. Consequently, I am returning Senate Bill 130 with the following partial vetoes.

I am exercising the option of a partial veto in order to retain in the industries revolving fund the costs for five officers who provide security for the industries operation. This saves the state $71,000 annually in appropriated general purpose revenue, and reduces inmate wages from $2.15 to $1.25 per day. The new rate represents a 150% increase over the current daily rate of $.50.

Secondly, I am exercising another partial veto to strike the requirement that the Department of Health and Social Services make evening programming available to inmates who work in the industries program during the day. Senate Bill 130 provides no appropriation to cover the costs of initiating evening programs. The costs to provide a range of minimally acceptable evening programs is estimated to exceed $150,000 annually. It would not, I believe, be possible for the Department merely to reschedule existing staff employees to conduct evening programs, since those inmates not working in the industries would presumable continue to participate in other programs during the day. The alternative to such participation is "cell time."

Finally, I am exercising a number of partial vetoes throughout Senate Bill 130 to remove references to "employee," when referring to inmates who work in the industries area. Such action should alleviate problems of future litigation on the part of inmates, involving wages and worker rights. At present, the term "employee" is not used in Chapter 56 of the statutes when referring to the employment of inmates or prisoners.

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 28, 1976.

To the Honorable, the Senate:

I have approved Senate Bill 418 as Chapter 397, Laws of 1975, and deposited it in the office of the Secretary of State.

The bill makes a number of very useful changes in our state's law relating to adjudication of claims against the state. I have exercised the partial veto in one instance.

Section 1 of the bill provides that the chairmanship of the Claims Board shall rotate annually between the Senate and Assembly member of the Board. This is a departure from the current law which provides that the representative of the Department of Justice shall act as chairman of the Claims Board. There are good reasons for retaining the present statutory language.

Most importantly, the performance of the Board is enhanced by having a chairman who provides some continuity to the Board's proceedings from year to year. It is likely that the legislative members of the Board will change frequently while the representative of the Justice Department will serve a longer tenure. Leaving the chairmanship of the Board in the hands of the Justice Department representative will promote stability and consistency in the Board's decisions.

Moreover, the representative of the Justice Department, acting as chairman, is in a better position to provide the Claims Board with day-to-day administrative support. A legislator who spends a substantial part of his time away from Madison would be unable to give the Board the continuous and regular attention it requires.

I have therefore deleted from the bill language transferring the chairmanship of the Claims Board from the Department of Justice representative to legislative members.

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 28, 1976.

To the Honorable, the Senate:

I have approved Senate Bill 105 as Chapter 404, Laws of 1975, and deposited it in the office of the Secretary of State.

The bill is an important piece of legislation for Wisconsin. It establishes a statewide building code for one and two-family dwellings. As such it will guarantee a high standard of quality for all new homes built in our state. I have exercised the partial veto to strengthen the bill so that it might better meet its worthy objectives.

Section 101.65(1)(a) of the statutes, as created by the bill, provides that cities, towns, villages and counties may "Exercise jurisdiction over the construction and inspection of new dwellings by passage of ordinances, provided such ordinances meet the minimum requirements of the one and two-family dwelling code adopted in accordance with this subchapter."

I have deleted the word "minimum" from this section so the code adopted by the dwelling code council and administered by the Department of Industry, Labor and Human Relations is truly statewide. The adoption of a uniform standard will greatly facilitate enforcement of the code and should act as well to hold down the increases in construction costs which are inevitable when builders are forced to meet different requirements in each jurisdiction in which they are active.

Section 101.66(2) of the statutes states: "All inspections under ss. 101.63(1) and 101.65(2) shall be by persons certified by the department." The statutory cross references refer to inspections made by DILHR. The effect of the cross references could be interpreted to require that only "state" inspectors be certified. I have deleted the cross-references so that all inspectors, both state and local, who enforce the statewide code must be certified by DILHR. Only by making certain that all building inspectors are qualified and conversant with the new code can the state fulfill its commitment to sound, energy efficient housing.

Section 101.645 of the statutes, as created by the bill, provides that prior to the adoption or revision of any rule, it must first be submitted to a standing committee of each house and approved as joint resolution by both houses of the Legislature. I believe this provision and others like it to be a clear violation of the separation of powers doctrine. The effect of the provision would be to delay the implementation of the building codes and to provide a second "kick at the cat" for all those who have opposed the concept of a uniform standard from the outset.

Section 15.227(6) of the statutes, as created by the bill, provides that "Meetings of the Council may be called by the chair-person selected by the council." This provision could be read as an exemption to s. 15.09(3) of the statutes which is the general statute covering councils. It provides that a meeting of a council may be called by the chair-person, the head of the department or independent agency in which it is created or by a majority of its members. I believe the greater flexibility in calling meetings as provided in the current statute is preferable to the more restrictive provision in the bill.

Sincerely,
PATRICK J. LUCEY
Governor

State of Wisconsin
Office of the Governor
Madison, Wisconsin

May 28, 1976.

To the Honorable, the Senate:

I have approved Senate Bill 106 as Chapter 405, Laws of 1975, and deposited it in the office of the Secretary of State.

The bill establishes a uniform building code for manufactured housing and provides for enforcement of the new code by certified inspectors. Senate Bill 106 will ensure that manufactured housing built in Wisconsin will be well constructed wherever it is located. Builders of manufactured housing will have the advantage of having a single code with which to comply. It will no longer be necessary to meet different requirements in each community all across the state.

I have exercised the partial veto in two instances. First of all, I have deleted that portion of the bill (s. 101.745 of the statutes) which requires prior legislative approval of the administrative rules promulgated to implement the new building code. As I have stated before, I am in fundamental disagreement with the proposition that the legislature should, in effect, assume the executive function of rulemaking. Though I am sympathetic with the desire of the Legislature to ensure that its intent is incorporated in the rules adopted to implement a particular piece of legislation, I do not agree that the prior approval of administrative rules is a legitimate exercise of legislative power.

Section 101.75(3) of the statutes as created by the bill provides that: "No person shall alter an approved manufactured building in any way prior to or during installation without the approval of the department. This subsection shall not apply to alterations agreed to pursuant to an agreement between a manufacturer and a homebuyer."

This provision would allow a buyer and a manufacturer to avoid compliance with the manufactured housing building code. Housing could be built that was not safe, durable or energy efficient. Whatever the intent of the parties to such an agreement, a subsequent purchaser of the dwelling would be denied the protection of the law.

The intent of this legislation goes beyond providing protection to the buyer of an individual home. The larger purpose of the bill is to ensure a high standard of manufactured housing while providing for energy efficient construction modes. To permit a manufacturer and a homebuyer to arbitrarily decide not to comply with the code would be completely contrary to that larger purpose.

Section 15.227(6) of the statutes, as created by the bill, provides that "Meetings of the Council may be called by the chairperson selected by the council." This provision could be read as an exemption to s. 15.09(3) of the statutes which is the general statute covering councils. It provides that a meeting of a council may be called by the chairperson, the head of the department or independent agency in which it is created or by a majority of its members. I believe the greater flexibility in calling meetings as provided in the current statute is preferable to the more restrictive provision in the bill.

Sincerely,
PATRICK J. LUCEY
Governor

MOTIONS UNDER SENATE RULE 96

A certificate of commendation by Senator Martin and Representative Swoboda for MR. LAWRENCE CHAUDOIR on his retirement after 16 years on the Southern Door School Board.

A certificate of commendation by Senator Maurer for REVEREND HAROLD ELSAM on being the VFW National Chaplain.

A certificate of commendation by Senator Cullen and Representative Johnson for MRS. CONNIE VUCHETICH on her retirement from Vocational, Technical & Adult Education and Blackhawk Technical Institute.

A certificate of commendation by Senator Petri and Representative Rogers for MR. GORDON KOTKOSKY on his retirement from teaching.

Read and adopted enmasse.

CHIEF CLERK'S REPORT

The chief clerk records:

Senate Bill 338

Returned by the Governor without approval, and deposited in the office of the Secretary of State pursuant to Article V, Section 10, of the Constitution on June 1, 1976. Chapter no. 413.