

JOURNAL OF THE SENATE

**Eighty-Third Regular Session**

THURSDAY, January 12, 1978.

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

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INTRODUCTION OF RESOLUTIONS

**Senate Resolution 13**

Requesting the board of regents of the university of Wisconsin to require the Madison campus to schedule courses in the evening hours and on weekends.

By Senator Cullen.

Read and referred to committee on Education and Revenue.

**Senate Joint Resolution 60**

To amend section 3 of article IV of the constitution, relating to reapportionment by the supreme court (first consideration).

By Senator Sensenbrenner.

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

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BILLS INTRODUCED

Read first time and referred:

**Senate Bill 654**

Relating to a sales and use tax exemption for wood, natural gas, propane, coal and oil for use as fuel in a private dwelling.

By Senator Thompson, by request of Mayor Liniel Cooper, Stoughton.

To Joint Survey Committee on Tax Exemptions.

**Senate Bill 655**

Relating to administrative rules and granting rule-making authority.

By Senator Berger.

To committee for Review of Administrative Rules.

**Senate Bill 656**

Relating to appropriation of funds for completion of the West Bend highway 45 by-pass project.

By Senators Sensenbrenner, McCallum, and Petri.

To committee on Commerce.

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## COMMITTEE REPORTS

The Joint Committee for Review of Administrative Rules reports and recommends for introduction:

### **Senate Bill 657**

Relating to expansion of the definition of a rule to include certain additional subjects, and granting rule-making authority.

Introduction:

Ayes, 7 -- Senators Berger, Offner, and Swan, and Representatives Clarenbach, McClain, Rogers and Thompson;

Noes, 3 -- Senators Radosevich and Sensenbrenner, and Representative Brist.

Read first time and referred to the committee for Review of Administrative Rules.

DAVID G. BERGER

Co-Chair

WILLIAM J. ROGERS

Co-Chair

The committee on Commerce reports and recommends for introduction:

### **Senate Bill 658**

Relating to definition of employer under the wage payment, claims and collection law.

By request of the League of Wisconsin Municipalities.

Introduction:

Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler, Bidwell and Petri;

Noes, 0 -- None.

Read first time and referred to committee on Agriculture, Aging and Labor.

### **Senate Bill 659**

Relating to appeals from boards of review.

By request of the League of Wisconsin Municipalities.

Introduction:

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Ayes, 7 -- Senators Parys, Berger, Swan, Goyke, Keppler,  
Bidwell and Petri;

Noes, 0 -- None.

Read first time and referred to committee on Governmental and  
Veterans Affairs.

### **Senate Bill 660**

Relating to public payment for care provided to persons who are  
involuntarily detained, committed or placed for mental health  
services or for whom services are provided on an involuntary basis,  
and making appropriations.

By committee on Commerce, by request of Debby Fleming,  
Milwaukee.

Read first time and referred to committee on Agriculture, Aging  
and Labor.

RONALD G. PARYS

Chairman

The committee on Human Services reports and recommends for  
introduction:

### **Senate Bill 661**

Relating to establishing an older citizens assistance program,  
increasing an appropriation and granting rule-making authority.

Introduction:

Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and  
Petri;

Noes, 0 -- None.

Read first time and referred to committee on Human Services.  
and further recommends:

### **Assembly Bill 383**

Relating to the effects of zoning and deed covenants on  
community living arrangements.

Concurrence:

Ayes, 4 -- Senators Thompson, Offner, Braun, and Van Sistine;

Noes, 1 -- Senator Petri.

### **Assembly Bill 539**

Relating to operators' licenses for persons having epilepsy.

Concurrence:

Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and  
Petri;

Noes, 0 -- None.

### **Assembly Bill 624**

Relating to the refusal or delay of emergency hospital services  
and creating a penalty.

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Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Thompson, Offner, Braun, Van Sistine and Petri;

Noes, 0 -- None.

### **Assembly Bill 663**

Relating to limitations on giving information relating to general relief, requiring record-keeping of relief paid and providing a penalty.

Concurrence:

Ayes, 4 -- Senators Thompson, Offner, Braun and Van Sistine;

Noes, 1 -- Senator Petri.

CARL W. THOMPSON

Chairman

## PETITIONS AND COMMUNICATIONS

### **Senate Petition 136**

A petition by 47 residents of Mineral Point, Wisconsin in support of Senate Bill 6, relating to free admission to state parks and forests for residents 65 years of age or older.

By Senator Harnisch.

Read and referred to committee on Natural Resources and Tourism.

### **Senate Petition 137**

A petition by 68 residents of the state of Wisconsin in support of product liability legislation: Senate Bill 437, Senate Bill 438, Senate Bill 439, Senate Bill 440, Senate Bill 441, Senate Bill 445 and Assembly Bill 237.

By Senators Thompson and Maurer.

Read and referred to committee on Commerce.

### **Senate Petition 138**

A petition by 96 residents of the State of Wisconsin in opposition to Assembly Bill 321, relating to prohibiting and restricting state and local abortion subsidies.

By Senator Thompson.

Read and referred to committee on Human Services.

# JOURNAL OF THE SENATE

## State of Wisconsin Claims Board

January 5, 1978

Don Schneider  
Senate Chief Clerk  
State Capitol  
Madison, Wisconsin 53702

Dear Mr. Schneider:

Enclosed is the report of the State Claims Board covering claims heard on September 26, 1977 and November 28, 1977.

The amounts recommended for payment under \$1000 on claims included in this report have, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$1,000, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,  
EDWARD D. MAIN  
Secretary

### BEFORE THE CLAIMS BOARD OF WISCONSIN

The following claims have been considered and decided by the Board without hearings on September 26, 1977, at the State Capitol Building, Madison, Wisconsin.

<i>Name</i>	<i>Amount of Claim</i>
1. Arlyn Wollenburg-----	\$ 225,000.00
2. Anna M. Doudlah-----	3.12
3. B.L. Harper -----	6.24
4. Clyde L. Rosen -----	4.16
5. Nancy D. Turcotte-----	3.12
6. Rita A. Maciona -----	4.68
7. Dennis E. Zoltak -----	100.00
8. Beverly Lancaster -----	21.56
9. Helen Siebers -----	34.92

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10. Clarence Day-----	14.98
11. Clifford N. Day-----	5.00
12. Larry W. Douglass-----	6.64
13. Michael J. Linak-----	211.35
14. William J. Reiser-----	5.00
15. H. Gordon Rothwell-----	3.00
16. Kathlyn Steele-----	15.60
17. Ethel G. Wegner-----	1.56
18. Barbara C. Brill-----	27.04
19. Raymond D. Heitkemper-----	64.48
20. Karen Rueden-----	4.16
21. Maurice Omdoll-----	160.00
22. Robert A. Otis-----	100.00
23. Jasper Towne-----	464.62
24. Kathleen M. Geib-----	11.00

### THE BOARD FINDS:

#### 1. *Arlyn Wollenburg*

Arlyn Wollenburg claims \$225,000.00 as a result of an alleged wrongful revocation of his teacher's license more than fifteen years ago. A prior claim based on the same alleged facts was denied in 1960. Wisconsin Constitution art. VIII, sec. 2 prohibits payment of a claim of this nature unless the claim is filed within six years after it accrued. Clearly the present claim does not meet this requirement. The earlier claim was denied many years ago. The fact that it was filed within six years of the time the claim accrued does not warrant the Board in considering the present claim.

Claims 2 through 24 are based upon damages resulting from alleged actions of strikers during the strike against the state in July, 1977. The claimants continued to work during that strike, and most of the damages were to tires on the claimants' automobiles. Where the damage necessitated replacement of tires, the amounts awarded are based on depreciated values of the replaced tires. Where damage occurred away from the claimant's place of employment and not at a pick-up point from which the state drove working employees through the picket lines, the claims have been denied.

#### 2. *Anna M. Doudlah*

Anna M. Doudlah claims \$3.12 for repair of two tires punctured while her car was parked at the Central Wisconsin Center. The Board concludes that the claim should be paid on equitable principles.

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### 3. *B.L. Harper*

B.L. Harper claims \$6.24 for repair of tires punctured while his car was parked at the Central Wisconsin Center. The Board concludes that the claim should be paid on equitable principles.

### 4. *Clyde L. Rosen*

Clyde L. Rosen claims \$4.16 for repair of tires punctured while his car was parked at the Central Wisconsin Center. The Board concludes that the claim should be paid on equitable principles.

### 5. *Nancy D. Turcotte*

Nancy D. Turcotte claims \$3.12 for repair of tires punctured while her car was parked at the Central Wisconsin Center. The Board concludes that the claim should be paid on equitable principles.

### 6. *Rita A. Maciona*

Rita A. Maciona claims \$4.68 for repair of tires punctured while her car was parked at the Southern Wisconsin Center. The Board concludes that the claim should be paid on equitable principles.

### 7. *Dennis E. Zoltak*

Dennis E. Zoltak claims \$100.00, the uninsured portion of damage done to his car in an accident as he was leaving the grounds of the Southern Wisconsin Center. The accident occurred on the highway fronting the Center and apparently was due, at least in part, to the visual obstructions resulting from the presence of the picketers and their vehicles parked along both sides of the highway. The claim is denied.

### 8. *Beverly Lancaster*

Beverly Lancaster claims \$21.56 for damages to the exhaust pipe of her vehicle, caused by an object thrown underneath the car as she crossed the picket line at Southern Wisconsin Center. The Board concludes that the claim should be paid on equitable principles.

### 9. *Helen Siebers*

Helen Siebers claims \$34.92 because of damage to a tire on her car while it was stopped at the picket line as she was leaving the Mendota Mental Health Institute. The Board concludes that the claim should be paid on equitable principles.

### 10. *Clarence Day*

Clarence Day claims \$14.98 because of damage to his car antenna and to one tire, while the car was parked at Sherman Plaza at which point working employes were asked to gather for bus

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transport to their places of employment. The Board concludes that the claim should be paid on equitable principles.

### 11. *Clifford N. Day*

Clifford N. Day claims \$5.00 for damage to the tires on his car while the car was parked at Sherman Plaza at which point working employes were asked to gather for bus transport to their places of employment. The Board concludes that the claim should be paid on equitable principles.

### 12. *Larry W. Douglass*

Larry W. Douglass claims \$6.64 because of damage to a tire on his car while he was driving onto the grounds of Central Wisconsin Center. The Board concludes that the claim should be paid on equitable principles.

### 13. *Michael J. Linak*

Michael J. Linak claims \$211.35 because of damage to two tires on his car while it was parked at Sherman Plaza at which point working employes were asked to gather for bus transport to their places of employment. The Board finds that in view of the depreciated value of the tires, the total damages amount to only \$181.35. The Board concludes that the claim in the reduced amount of \$181.35 should be paid on equitable principles.

### 14. *William J. Reiser*

William J. Reiser claims \$5.00 because of damage to two tires on his car while it was parked at Sherman Plaza at which point working employes were asked to gather for bus transport to their places of employment. The Board concludes that the claim should be paid on equitable principles.

### 15. *H. Gordon Rothwell*

H. Gordon Rothwell claims \$3.00 because of damage to two tires on his car while it was parked at Sherman Plaza at which point working employes were asked to gather for bus transport to their places of employment. The Board concludes that the claim should be paid on equitable principles.

### 16. *Kathlyn Steele*

Kathlyn Steele claims \$15.60 because of damage to the windshield wiper on her car while it was parked at Sherman Plaza at which point working employes were asked to gather for bus transport to their places of employment. The Board concludes that the claim should be paid on equitable principles.



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### 17. *Ethel G. Wenger*

Ethel G. Wegner claims \$1.56 because of damage to the vinyl roof of her car while it was parked at Sherman Plaza at which point working employes were asked to gather for bus transport to their places of employment. The Board concludes that the claim should be paid on equitable principles.

### 18. *Barbara C. Brill*

Barbara C. Brill claims \$27.04 because of damage to the paint on her car while she was crossing the picket line leaving her office at Capitol Drive in Milwaukee. The Board concludes that the claim should be paid on equitable principles.

### 19. *Raymond D. Heitkemper*

Raymond D. Heitkemper claims \$64.48 because of damages to the finish of his car while it was parked at the driver testing station in Milwaukee, on July 18, 1977. The damage occurred after the strike had ended, and the claim is denied.

### 20. *Karen Rueden*

Karen Rueden claims \$4.16 because of damage to a tire on her car in the parking lot at the Hill Farm Office Building. The Board concludes that the claim should be paid on equitable principles.

### 21. *Maurice Omdoll*

Maurice Omdoll claims \$160.00 because of damage to the upholstery of his automobile and to a suit resulting from a flare having been tossed onto the car seat while the car was parked at his residence. The claim is denied.

### 22. *Robert A. Otis*

Robert A. Otis claims \$100.00 because of damage to a window at his residence in Middleton, resulting from a BB shot. The claim is denied.

### 23. *Jasper Towne*

Jasper Towne claims \$464.62 because of damage to his house at Fond du Lac, which was rented to an employe who continued working during the strike. The claim is denied.

### 24. *Kathleen M. Geib*

Kathleen M. Geib claims \$11.00 because her previously approved leave was cancelled after she had made nonrefundable payments towards a trip to Iowa. The Board concludes that the claim should be paid on equitable principles.

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## THE BOARD CONCLUDES:

1. The claims of the following named claimants should be denied:

Arlyn Wollenburg  
Dennis E. Zoltak  
Raymond D. Heitkemper  
Maurice Omdoll  
Robert A. Otis  
Jasper Towne

2. Payment of the following amounts to the following claimants is justified under sec. 16.007, Stats.:

Anna M. Doudlah	\$ 3.12
B.L. Harper	6.24
Clyde L. Rosen	4.16
Nancy D. Turcotte	3.12
Rita A. Maciona	4.68
Beverly Lancaster	21.56
Helen Siebers	34.92
Clarence Day	14.98
Clifford N. Day	5.00
Larry W. Douglass	6.64
Michael J. Linak	181.35
William J. Reiser	5.00
H. Gordon Rothwell	3.00
Kathlyn Steele	15.60
Ethel G. Wenger	1.56
Barbara C. Brill	27.04
Karen Rueden	4.16
Kathleen M. Geib	11.00

## BEFORE THE CLAIMS BOARD OF WISCONSIN

The Claims Board conducted hearings at the State Capitol Building, Madison, Wisconsin, on November 28, 1977, upon the following claims:

<i>Name</i>	<i>Amount of Claim</i>
1. Nancy and James Mason-----	\$3,443.25
2. Rodney Zimdars-----	23.87
3. Margaret Hundt-----	-

In addition, the following claims were considered and decided without a hearing:

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4. Estate of Thomas Hardy-----	822.53
5. Joan M. Towne-----	153.70
6. Donald Buck-----	85.00
7. Mike Perekovich-----	173.62
8. Arn Vollmer-----	94.83
9. Julia Schwersinske-----	82.54
10. Cecilia Cieszynski-----	6.66
11. Mary Mayerl-----	94.91
12. Eugene A. Sterr-----	9.44
13. Delaine Moe-----	32.69
14. Timothy Chartrand-----	20.00
15. William C. Goehring-----	10.00
16. City of Tomahawk-----	764.30
17. Village of Ettrick-----	206.45
18. Rebecca Shilney-----	2,500.00
19. Bammel Funeral Home-----	355.00

### THE BOARD FINDS:

#### 1. *Nancy and James Mason*

Nancy O. and James Mason, Pittsburgh, Pennsylvania, claim \$3443.25 for damages from an auto accident on September 30, 1976, on Highway 16, Columbia County, Wisconsin. While traveling eastbound, a large trailer truck in the westbound lane forced claimants to the right edge of the road, forcing the right side of their auto into the gravel shoulder. The right front wheel caught the shoulder, forcing the vehicle out of control, and causing it to roll over. Although claimants allege a six-inch drop from the road to the shoulder, there is evidence that the drop was no more than 2 1/2 inches. The shoulder is regularly inspected and maintained as needed by Columbia County. The shoulder is hard packed gravel, and was dry from the lack of rain during the summer of 1976. Claimants have a claim pending with Columbia County relating to the same incident. The board concludes the claim is not one for which the state is legally liable, nor one which the state should assume and pay on equitable principles.

#### 2. *Rodney Zimdars*

Rodney Zimdars, Cedar Grove, Wisconsin, claims \$23.87 to replace an antenna stolen from his squad car on June 18, 1977. The C. B. antenna was the personal property of the claimant not needed by him to perform his duties, and installed on the squad car at his own risk and expense. The board concludes the claim is not one for which the state is legally liable, nor one which the state should assume and pay on equitable principles.

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### 3. *Margaret Hundt*

Margaret Hundt, Madison, Wisconsin, seeks to have the Claims Board restore 108 days of accrued sick leave to her which she lost in 1972 in connection with her employment with the University of Wisconsin at Madison. The board concludes it is without authority to restore sick leave, and cannot grant the claimant the relief she seeks.

### 4. *The Estate of Thomas Hardy*

The Estate of Thomas Hardy, c/o Douglas W. Krammer, S.C., Portage, Wisconsin, claims \$822.53 for overpayment of inheritance taxes to the State of Wisconsin which the Department of Revenue would have refunded except for the six-month statute of limitations. The board concludes the claim should be paid on equitable principles.

5. through 13 are based upon damages resulting from alleged actions of strikers in connection with the strike in July, 1977. All claimants are employes of the Department of Health and Social Services who reported to work during the strike. Generally, those claims were honored which resulted from damages occurring on either state or neutral property and which represented only out-of-pocket losses as the result of reporting to work during the strike. Tire losses were based on depreciated values of the replaced tires.

### 5. *Joan M. Towne*

Joan M. Towne, Waupun, Wisconsin, claims \$153.70 for lost wages from failing to report for work on July 12-15 and for the cost of removing paint thrown in her driveway on July 9, 1977. The claim is denied.

### 6. *Donald Buck*

Donald Buck, Oshkosh, Wisconsin, claims 85.00 for damages to his car on July 5, 1977, while parked at his house. The claim is denied.

### 7. *Mike Perekovich*

Mike Perekovich, Kansasville, Wisconsin, claims \$173.62 for the replacement of two steel belted radial tires damaged on July 14, 1977, at the police station parking lot in Union Grove. Claimant was reimbursed by his insurance carrier for \$88.14, leaving a balance of \$85.48. However, according to the calculations of the Department of Health and Social Services, the depreciated value of the tires was only \$129.18, leaving a balance of 41.04 after the insurance payment, plus a service call of \$15. The board concludes the claim in the reduced amount of \$56.04 should be paid on equitable principles.

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### 8. *Arn Vollmer*

Arn Vollmer, McFarland, Wisconsin, claims \$94.83 for damages to three of his car tires on July 11, 1977, at Mendota Mental Health Institute. According to the calculations of the Department of Health and Social Services, the depreciated value of the three tires was only \$88.03. The board concludes the claim in the reduced amount of \$88.03 should be paid on equitable principles.

### 9. *Julia Schwersinske*

Julia Schwersinske, Union Grove, Wisconsin, claims \$82.54 for damages to her car tire on July 14, 1977, at the police station parking lot in Union Grove, plus \$15 for a service call. Claimant's insurance carrier reimbursed her for the depreciated value of her tire, and for all but \$5 of the service call charge. According to the calculations of the Department of Health and Social Services, the depreciated value of the tire was only \$35.12. The board concludes the claim in the reduced amount of \$5.00 should be paid on equitable principles.

### 10. *Cecilia Cieszynski*

Cecilia Cieszynski, Milwaukee, Wisconsin claims \$6.66 for the loss of car tires on July 14, 1977, which cost claimant \$123.76, but which had a depreciated value of only \$113.57 according to calculations made by the Department of Health and Social Services. Claimant's insurance carrier paid her \$117.10. The claim is denied.

### 11. *Mary Mayerl*

Mary Mayerl, Union Grove, Wisconsin, claims \$94.91, for tire damage on July 14, 1977, while her car was parked at the police station parking lot in Union Grove. The depreciated value of the replaced tire was only \$46.50 according to the calculations made by the Department of Health and Social Services. Other tire repair and installation charges amounted to \$26.53. The board concludes the claim in the reduced amount of \$73.03 should be paid on equitable principles.

### 12. *Eugene Sterr*

Eugene A. Sterr, Whitefish Bay, Wisconsin, claims \$9.44 for tire damage on July 14, 1977, not reimbursed by his insurance carrier. However, since the insurance reimbursement was only \$.08 less than the depreciated value of the replaced tires according to the calculations of the Department of Health and Social Services, the claim is denied.

### 13. *Delaine Moe*

Delaine Moe, Franklin, Wisconsin, claims \$32.69 for tire damage on July 9, 1977, at the Southern Wisconsin Center. The depreciated

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value of the replaced tire was only \$13.76 according to the calculations of the Department of Health and Social Services. The board concludes the claim in the reduced amount of \$13.76 should be paid on equitable principles.

### 14. *Timothy Chartrand*

Timothy Chartrand, Fox Lake, Wisconsin, claims \$20.00 which was taken from him on July 14, 1977, while a resident at the correctional institution. After his mother visited him the claimant was told he was going to be searched. The claimant then took \$20.00 out of his pocket. Claimant knew that the regulations prohibited him from accepting money from visitors, and that money must be deposited prior to the visit. The penalty for wrongful possession of money is its confiscation. The board concludes the claim is not one for which the state is legally liable, nor one which the state should assume and pay on equitable principles.

### 15. *William Goehring*

William Goehring, Random Lake, Wisconsin, claims \$10.00 for damages to his slacks on September 2, 1977, when a dog snapped at his leg while claimant was visiting an AFDC home in the course of his employment. The board concludes the claim should be paid on equitable principles.

### 16. *The City of Tomahawk*

The City of Tomahawk claims \$764.30 for damages on January 20, 1977, at the Highway 86 Bridge in South Tomahawk when a Department of Transportation sign crew severed an electrical cable for the bridge lights. In the process of reconnecting the cable, the local private electrical contractor improperly hooked up the wires, causing street lights to blow out. The cost of replacing these lights was \$264.13. The board concludes the claim in the reduced amount of \$500.17 should be paid on equitable principles.

### 17. *Village of Ettrick*

The Village of Ettrick claims \$206.45 for damages on October 22, 1976, in the area of the new bridge when a Department of Transportation sign crew pierced a 6" water main. The board concludes the claim should be paid on equitable principles.

### 18. *Rebecca Shilney*

Rebecca Shilney, Hinsdale, Illinois, claims \$2500 for personal injuries to her knee allegedly caused by an usher at the concert of the Bay City Rollers at the State Fair Park on August 14, 1977. On the night of the concert many young people were milling around and trying to get on stage. There is insufficient evidence to establish that

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claimant's injuries were caused by an usher or other persons unknown. However, the state is willing to assume and pay the hospital and doctor charges of \$75.20 on equitable principles. The balance of the claim is denied.

### 19. *Bammel Funeral Home*

Bammel Funeral Home claims \$355 for nonreimbursed funeral expenses requested by the state for a resident of the Wisconsin Veterans Home on April 17, 1976. The claim was previously denied by this board; however, upon reconsideration the board concludes the claim should be paid on equitable principles.

#### THE BOARD CONCLUDES:

1. The claims of the following named claimants should be denied:

Nancy and James Mason  
Rodney Zimdars  
Margaret Hundt  
Joan M. Towne  
Donald Buck  
Cecilia Cieszynski  
Eugene A. Sterr  
Timothy Chartrand

2. Payment of the following amounts to the following claimants is justified under sec. 16.007, Stats.:

Estate of Thomas Hardy	\$822.53
Mike Perekovich	56.04
Arn Vollmer	88.03
Julia Schwersinske	5.00
Mary Mayerl	73.03
Delaine Moe	13.76
William Gochring	10.00
City of Tomahawk	500.17
Village of Ettrick	206.45
Rebecca Shilney 75.20	
Bammel Funeral Home	355.00

Dated at Madison, Wisconsin, this 5th day of January, 1978.

GERALD D. KLECZKA  
Senate Finance Committee

VIRGIL D. ROBERTS  
Assembly Finance Committee

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**MARK R. CONRAD**  
Representative of Governor

**EDWARD D. MAIN**  
Representative of Secretary of  
Administration

**ALLAN P. HUBBARD**  
Representative of Attorney  
General

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**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

January 6, 1978.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Joan Helen Holden, of Wisconsin Rapids, as a member of the Educational Communications Board, to succeed Marilyn Langdon, whose term has expired, to serve for the term ending May 1, 1981.

Sincerely,

**MARTIN J. SCHREIBER**  
Governor

Read and referred to committee on Education and Revenue.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

January 6, 1978.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Barbara Holbrook, of Eau Claire, as a member of the Educational



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Communications Board, to succeed herself, to serve for the term ending May 1, 1981.

Sincerely,  
**MARTIN J. SCHREIBER**  
Governor

Read and referred to committee on Education and Revenue.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

January 6, 1978.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, I have nominated and with the advice and consent of the senate do appoint Reverend Richard A. Wisnewski, of LaCrosse, as a member of the Educational Communications Board, to succeed himself, to serve for the term ending May 1, 1981.

Sincerely,  
**MARTIN J. SCHREIBER**  
Governor

Read and referred to committee on Education and Revenue.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

January 12, 1977.

To the Honorable, the Senate:

I have the honor to report to you the pardons and commutations of sentence granted by Governor Patrick J. Lucey during the year 1977 with reasons therefore, as required by Article V, Section 6, of the Wisconsin Constitution.

1. John R. Ammerman was convicted on March 14, 1969 in the County Court for Dane County of the crime of burglary and was sentenced to two years probation. He was granted an absolute pardon based on no prior or subsequent convictions, because he has held a variety of responsible positions with several social service

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organizations, because the Parole Board recommends a pardon and because he is married and is raising his two children.

2. John Stephen Bassett was convicted on August 23, 1973 in the County Court of Milwaukee County of the crime of negligent use of a weapon (PTAC) and was sentenced to one year probation. He was granted an absolute pardon because he has no prior or subsequent criminal convictions, because he wishes to ease this hindrance of his educational and business pursuits, because it appears that this conviction was a result of accidental conduct, because he hopes to enter law school or police work and because the Parole Board recommends a pardon.

3. William Becker was convicted on October 9, 1972, in the County Court of LaCrosse County of the crime of theft and was sentenced to two years probation. He was granted an absolute pardon because he had no prior or subsequent convictions, because the Parole Board recommends a full pardon, and because he performed excellently while under probation supervision and was given an early discharge on December 10, 1973.

4. Henry Burks was convicted on November 30, 1967 in the Circuit Court of Milwaukee County of the crime of armed robbery and was sentenced to 15 years. He was granted a conditional pardon because he had no subsequent felony convictions, because he maintained a stable position in his community which resulted in an early discharge from supervision.

5. Lyle Dean Carley was convicted on May 12, 1970 in the County Court of Richland County of the crime of burglary (3 counts) and was sentenced to four years probation each count, concurrent; further, he was convicted of theft (5 counts) and was sentenced to one year probation, first count, consecutive and one year probation each other count, concurrent; Further he was convicted of operating an automobile without the owner's consent and was sentenced to one year probation concurrent. He was granted a conditional pardon based on the condition that he not be convicted of any felony for a period of two years because of his satisfactory adjustment to supervision and because he met all court imposed financial obligations during his first year of probation and because the Parole Board recommended a pardon.

6. Gerald Gilbert Chapman was convicted on February 26, 1957 in the Circuit Court of Vilas County of the crime of causing bodily harm and was sentenced to one year. He was granted an absolute pardon because he had no prior or subsequent felony

## JOURNAL OF THE SENATE

convictions, because he maintained a stable position in his community and because the Parole Board recommended a pardon.

7. Edward Lee Cobb was convicted on August 13, 1964 in the County Court of Milwaukee County of the crime of battery and sentence was suspended; Further he was convicted on June 10, 1966 of the crime of inmate of gambling house and sentenced to a \$25 fine; Further he was convicted on June 30, 1967 in the Circuit Court of Milwaukee County of the crime of disorderly conduct and was sentenced to a \$15 fine; Further he was convicted on November 10, 1967 of the crime of possession of marijuana and was sentenced to one year probation; Further he was convicted on July 2, 1973 of the crime of delivery of a dangerous drug and was sentenced to five years probation and a \$500 fine. He was granted a conditional pardon based on the condition that he not be convicted of a felony for a period of two years because he maintained stable employment, because he wishes to write the real estate board examination and obtain a real estate brokers license, and because he was given an early discharge from probation on December 20, 1976.

8. Mark John DeBaker was convicted on November 28, 1972 in the Circuit Court of Portage County of the crime of intentionally causing bodily harm to a peace officer and was sentenced to one year probation. He was granted an absolute pardon because he had no prior or subsequent convictions, because he wished to improve employment opportunities in the field of biology, because his conviction appeared to have been an isolated incident in his life, and because the Parole Board recommended a pardon.

9. Michael Raymond Delwiche was convicted on March 8, 1974 in the Circuit Court of Door County of the crime of commercial gambling and was sentenced to a \$1,750 fine and one year probation. He was granted a conditional pardon based on the condition that he not be convicted of a felony for a period of one and one-half years because of his desire to participate more actively in local civic affairs, because of his stable and responsible family life, because of his stable employment over the past 15 years, and because he had no prior or subsequent record.

10. David Roy Dehnart was convicted on January 3, 1972 in the County Court of Waukesha County of the crime of conduct regardless of life and was sentenced to five years probation. He was granted an absolute pardon because he wishes to realize better employment opportunities, because he was granted an early

## JOURNAL OF THE SENATE

discharge from supervision and because he had no prior or subsequent criminal convictions.

11. Thomas Michael Domer was convicted on June 26, 1967 in the County Court of Sheboygan County of the crime of illegal possession of an intoxicating beverage and was sentenced to a \$35 fine. He was granted an absolute pardon because he seeks to remove the stigma of this misdemeanor conviction, because of his youth at the time, because he has demonstrated a stable responsible employment history for the past ten years.

12. Robert Edward Dotterwick was convicted on October 4, 1971 in the Circuit Court of LaCrosse County of the crime of burglary and was sentenced to 42 months probation. He was granted an absolute pardon because of his early discharge from probation, because of his serious efforts to remain employed since his conviction, because of a recommendation from the sentencing judge, because the Parole Board recommended a pardon and because this appeared to be his only conviction.

13. David Allen Drake was convicted on April 3, 1972 in the County Court of Portage County of the crime of sale of a dangerous drug and was sentenced to three years probation. He was granted an absolute pardon because of his wish to remove the stigma of this conviction, because he had been gainfully employed throughout his probationary term, because of his youth at the time, because he had a history of steady employment and because the Parole Board recommends a pardon.

14. Jesse Duplechain was convicted on September 8, 1964 in the County Court of Sheboygan County of the crime of sexual intercourse with a minor (2 counts) and was sentenced to one year probation. He was granted an absolute pardon because he had no prior or subsequent convictions, because he maintained a stable position in his community and because the Parole Board recommended a pardon.

15. Diane Delores Dziengel was convicted on September 30, 1970 in the County Court of Milwaukee County of the crime of theft and was sentenced to one year and a \$50 fine. She was granted an absolute pardon because of her desire to advance in her chosen field, because she has demonstrated a stable educational and employment history and because the Parole Board recommends a pardon.

16. Richard Wayne Ellis was convicted on June 28, 1965 in the County Court of Oneida County of the crime of theft (2 counts) and

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was sentenced to 30 months probation each count, consecutive. He was granted an absolute pardon because he had a good employment record, because he is married and raising a young daughter, because he had no prior or subsequent convictions and because he has led a responsible and productive life for the past twelve years.

17. Phillip Esten Falkenberg was convicted on April 7, 1955 in the County Court of Rock County of the crime of larceny and was sentenced to a \$100 fine. He was granted an absolute pardon because he came from his home in New York to attend his pardon hearing, because he has held a responsible executive position for the past 19 years, because he has been exercising his duties as a father and employee in a responsible manner and because a pardon would recognize the aberrational nature of this offense.

18. Hazel Hanson was convicted on November 20, 1956, in the District Court of Milwaukee County of the crimes of assault and battery (2 counts) and was sentenced to a \$25 fine for each count; Further, she was convicted on January 10, 1958, in the Municipal Court of Milwaukee County of the crime of transfer of encumbered property and was sentenced to one year probation; Further she was convicted in the County Court of Milwaukee County on December 6, 1952 of the crime of disorderly conduct and sentence was suspended. She was granted an absolute pardon because of her stable position in the community, because she had no prior or subsequent felony convictions and because the Parole Board recommended a pardon.

19. Jesse James was convicted on March 16, 1961 in the District Court of Milwaukee County of the crime of reckless use of a weapon and was sentenced to two years probation; Further he was convicted on March 23, 1961 of the crime of disorderly conduct and sentenced to 90 days; Further he was convicted on June 26, 1961 of theft and was sentenced to 30 days; Further he was convicted on December 6, 1961 of carrying a concealed weapon and was sentenced to one year. He was granted an absolute pardon because he has been steadily employed since the time of his convictions, because of his youth at the time, and because the Parole Board recommended a pardon.

20. Arthur Johnson was convicted on August 27, 1965 in the Circuit Court of Milwaukee County of the crime of attempted murder and was sentenced to ten years. He was granted an absolute pardon because he was given an early discharge from parole, because he wishes to increase his employment opportunities, because the Parole Board recommended a pardon and because he has had no subsequent difficulties with the law.

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21. Patrick Joseph Kennedy was convicted on March 6, 1972 in the Circuit Court in Taylor County of the crime of sale of a dangerous drug and was sentenced to two years probation and a \$500 fine. He was granted an absolute pardon because of the Parole Board recommendation, because of his outstanding adjustment to probation supervision and his early discharge, and because there are absolutely no indications of further involvement with drugs.

22. Donald Jerome Kinepoway was convicted on May 2, 1958 in the County Court of Shawano County of the crime of unlawful entry with intent to steal and was sentenced to two years. He was granted an absolute pardon because he had no prior or subsequent record, because he was discharged from parole over 17 years ago, because the Parole Board recommended a pardon, because he has led a stable family life and has a stable employment history.

23. James Charles Lambert was convicted on December 21, 1974 in the Circuit Court of Milwaukee County of the crimes of theft by fraud (6 counts) and was sentenced to four terms of five years consecutive, one term of four years consecutive and one term of ten years probation consecutive. He was granted a commutation of sentence from three terms of five years consecutive to three terms of five years concurrent because Executive Clemency was solicited on behalf of Charles Lambert and it appeared that he is deserving.

24. James Lee Lampkins was convicted on June 6, 1969 in the Circuit Court of Milwaukee County of the crime of first degree murder, attempted murder (PTAC) and armed robbery (PTAC) and was sentenced to life, 30 years consecutive and 30 years concurrent. He was granted a commutation of sentence to 50 years, 30 years consecutive and 30 years concurrent because he has displayed successful institutional adjustment, because his application has received support from various institutional personnel, and because he has served eight years of his sentence.

25. Richard Paul Lane was convicted on August 29, 1975 in the Circuit Court of Dane County of the crime of delivery of a controlled substance and was sentenced to two years probation. He was granted a conditional pardon based on the condition that he not be convicted of a felony for a period of two years because he had no subsequent criminal record, because he was given an early discharge, because he expressed sincere remorse, because he will graduate from the University of Wisconsin-Madison, and because he has demonstrated a highly stable and positive lifestyle both before and after his singular criminal offense.

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26. Colin Lawe was convicted on March 14, 1962 in the County Court for Menominee County of the crime of homicide by negligent use of a vehicle and was sentenced to two years probation and a \$300 fine; Further he was convicted on May 14, 1962 of the crime of operating auto after revocation and sentenced to a \$100 fine; Further, he was convicted on December 18, 1962 in the Circuit Court for Menominee County of the crime of causing bodily harm and lewd and lascivious behavior and was sentenced to 20 months and one year concurrent. He was granted a conditional pardon based on the condition that he not be convicted of a felony for a period of three years because of his youth at the time of the offenses, because of his work in the law enforcement field and because of recommendations from various members of the community.

27. John Lewis Lee was convicted on June 16, 1972 in the Circuit Court of Milwaukee County of the crime of first degree murder and was sentenced to life imprisonment. He was granted a commutation of sentence to 50 years because of his good record since his incarceration, because his current sentence structure renders transfer to a less secure facility impossible, because of his current academic endeavors.

28. Sol Leshin was convicted on July 25, 1932 in the Municipal Court for Milwaukee County of the crimes of assault and robbery and assault with intent to rob (armed) (2 counts) and was sentenced to seven years each count concurrent. He was granted an absolute pardon because of his youth at the time, because of his discharge from supervision and because the Parole Board recommended a pardon.

29. Carl Johnson Maskewit was convicted on August 5, 1957 in the Circuit Court for Shawano County of the crime of burglary and was sentenced to two years; Further he was convicted on May 2, 1958 of the crime of unlawful entry with intent to steal and was sentenced to two years. Further, he was convicted on October 9, 1959 of the crime of receiving stolen property and was sentenced to four years. He was granted an absolute pardon because he had no prior or subsequent criminal convictions, because he wished to continue his employment as a jailer with the Menominee County Sheriff's Department, because of numerous recommendations, and because of the amount of time that had elapsed since his last conviction.

30. Scott William Mattes was convicted on March 5, 1976 in the Circuit Court of Milwaukee County of the crimes of attempted first degree murder (2 counts) and carrying a concealed weapon and

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was sentenced to 20 years and 20 consecutive and one year concurrent. He was granted a commutation of sentence to 20 years and 20 years concurrent and one year consecutive because he had no prior criminal involvement, because he had maintained a stable employment history prior to the conviction, and because he is married and engaged in raising their young child.

31. Nelson Raymond Maurice was convicted on June 25, 1970 in the County Court of Dane County of the crime of shoplifting and was sentenced to a \$50 fine. He was granted an absolute pardon because of his desire to enhance employment opportunities, and because he has shown himself capable of holding responsible, professional positions.

32. Dennis George Meyer was convicted on November 1, 1960 in the Municipal Court for Sheboygan County of the crime of auto theft and was sentenced to one year probation. He was granted an absolute pardon because he had no criminal convictions since 1966, because he and his wife are raising their six children, because his difficulties with the law seem to have centered around a turbulent period in his life extending from the time he was approximately 16 years old until he was 23 years old, and because the Parole Board believes that it would be logical to grant a pardon at this time.

33. Elsie Mary Moore was convicted on June 19, 1975 in the Circuit Court of Milwaukee County of the crime of armed robbery (PTAC) (2 counts) and was sentenced to five years and five years consecutive. She was granted a commutation of sentence to five years and five years concurrent because of her satisfactory adjustment, because her daughter requires her presence at home, because she had been instrumental in assisting federal agents solve numerous crimes as well as saving the lives of many federal undercover agents.

34. Ralph Ellwin O'Dell was convicted on November 15, 1957 in the Superior Court of Dane County of the crimes of first degree murder and burglary and was sentenced to life and 15 years concurrent. He was granted a commutation of sentence to 50 years and 15 years concurrent because of the Parole Board recommendation, because he is married and engaged in raising their young daughter, because it appears that he has no record of violent conduct and because he has displayed stable employment.

35. Gary Robert Oien was convicted on February 5, 1973 in the Circuit Court for Grant County of the crime of possession of marijuana and was sentenced to two years probation. He was



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granted an absolute pardon because of the obstacle the conviction represents in his pursuit in his chosen career of architecture, because he and his wife have one child, because of his youth at the time, and because the Parole Board recommendation.

36. Michael Radovan was convicted on December 10, 1971 in the County Court for Sheboygan County of the crime of receiving stolen property and was sentenced to two years probation. He was granted a conditional pardon based on the condition that he not be convicted of any felony for a period of two years because he had no prior or subsequent convictions, because he was discharged from supervision, because he has maintained a stable position in the community and because the Parole Board recommends a pardon.

37. Rosa Scalzo was convicted on December 3, 1970 in the County Court of Dane County of the crime of shoplifting and was sentenced to 10 days in the County Jail. She was granted an absolute pardon because it appears that the conviction results from the inadvertent failure to pay for a .25 book, because she graduated with a nursing degree from the University of Madison in 1972, because she has held several responsible nursing positions, because she is contributing to the support of her parents and younger sister and because she has no prior or subsequent convictions.

38. Donald Victor Schneider was convicted on June 9, 1944 in the Municipal Court of Brown County of the crimes of operating an auto without owner's consent (2 counts) and assault and robbery (2 counts) and was sentenced to four years probation each count, concurrent. Further he was convicted on May 28, 1959 of forgery (3 counts) and was sentenced to two years probation each count, concurrent. He was granted an absolute pardon because of the length of time since his last conviction, because the Parole Board recommends a pardon and in order to remove obstacles to employment opportunities.

39. Willard J. Sherard was convicted on April 8, 1976 in the Circuit Court of Milwaukee County for the crime of receiving stolen property (PTAC) and was sentenced to three years. He was granted a commutation to one and three-fourths years because of his satisfactory adjustment, because of an urgent need to return to his business, because he maintained a stable position in the community prior to his conviction and because of numerous supportive letters from Milwaukee citizens.

40. Fred Robert Singer was convicted on May 9, 1957 in the Superior Court of Dane County of the crime of sexual intercourse

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with a child and was sentenced to a \$250 fine; Further he was convicted on July 22, 1958 of the crime of disorderly conduct and burglary and was sentenced to 30 days in the County Jail and six months in the County Jail; Further he was convicted on February 9, 1962 of the crimes of attempted armed robbery and aggravated battery and was sentenced to ten years and five years concurrent. He was granted an absolute pardon because he had not been involved in any criminal activity since his parole in 1967, because he is married and has three children, because he has been active in community affairs.

41. LaVerne Delores Skelton was convicted on January 3, 1962 in the County Court of Monroe County of the crime of issuance of worthless checks and was sentenced to one year. She was granted an absolute pardon because the Parole Board recommended a pardon, because she has made great improvements in overcoming difficulties in her earlier life, and because she has maintained a stable position in her community for the past 13 years.

42. Mark Stenz was convicted on December 18, 1972 in the County Court for Outagamie County of the crime of forgery and was sentenced to one year County Jail. He was granted a conditional pardon based on the condition that he not be convicted of a felony for a period of two years because he had no prior or subsequent felony convictions, because he has maintained a stable position in his community and wishes to expand his business opportunities.

43. Robert L. Sucher was convicted on August 7, 1967 in the Circuit Court for Marinette County of the crime of causing bodily harm by operating and handling a firearm in a highly negligent manner. He was granted an absolute pardon because he had no prior or subsequent convictions and because the Parole Board recommended a pardon.

44. Richard Thanig was convicted on November 16, 1964 in the County Court for Marathon County of the crime of burglary (2 counts), theft (2 counts), highway obstruction and criminal damage to property and was sentenced to 18 months probation. He was granted an absolute pardon because he was discharged from supervision, because he made restitution as required, because he had no prior or subsequent felony convictions and because he has been a contributing member of his community.

45. Daniel Warren Throgmorton was convicted on September 24, 1974 in the County Court for Milwaukee County of the crime of reckless use of a weapon (PTAC) and was sentenced to 30 days. He

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was granted a conditional pardon based on the condition that he not be convicted of any felony or misdemeanor for a period of two years because he has maintained a stable position in the community, because he seeks to further his employment goals, and because he may desire to enter law enforcement.

46. Thomas George Ulrich was convicted on November 5, 1973 in the Circuit Court of Milwaukee County of the crime of delivery of a controlled substance (2 counts) and was sentenced to five years and two years probation concurrent and \$1,000 fine and first nine months in the County Jail. He was granted a conditional pardon based on the condition that he not be convicted of any felony for a period of two years because he had no subsequent criminal convictions, because he had maintained steady employment, because his adjustment to probation supervision after initial rule violation had been successful, and because he and his wife are engaged in raising their young daughter.

47. Alan David Vogelmann was convicted on July 27, 1965 in the Circuit Court for Milwaukee County of the crime of forgery (7 counts) and was sentenced to three years each count, concurrent. He was granted an absolute pardon because he had remained free of any further felony involvement, because he desired to better his future employment opportunities.

48. James Albert Wallendal was convicted on November 29, 1973 in the County Court for Dane County of the crime of promoting participation in a chain distribution scheme and was sentenced to a \$1,000 fine. He was granted an absolute pardon because he had no prior or subsequent criminal convictions, because he was not a major participant in the scheme, because he has made significant efforts to better himself by engaging in various business enterprises and because it has been three and one-half years since the conviction.

49. Eli Peterson was convicted on January 6, 1950 in the County Court for Shawano County of the crime of operating a motor vehicle without the owner's consent and was sentenced to two years; Further he was convicted on May 12, 1959 in the Circuit Court for Shawano County of the crime of attempt to cause great bodily harm and was sentenced to one year; Further he was convicted on May 12, 1959 of the crime of resisting an officer and was sentenced to 30 days in the County Jail; Further he was convicted on January 11, 1961 of the crime of disorderly conduct and was sentenced to 30 days in the County Jail; Further he was convicted on April 6, 1961 of the crime of first degree manslaughter and was sentenced to seven years. He

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was granted a conditional pardon based on the condition that he not be convicted of any felony for a period of two years because he had no subsequent criminal involvement, because he wishes to retain his position as a Menominee County Deputy Sheriff, because he had maintained a stable position in the community since his discharge from parole.

50. Sheldon John Webster was convicted on May 12, 1970 in the County Court of Shawano-Menominee County of the crime of burglary and was sentenced to one year probation. He was granted an absolute pardon because the Parole Board recommended a pardon, because he wishes to be restored to his part-time job in the Menominee County Sheriff's Department, because he had no difficulty with the law for over six years, and because his probation officer had written in support of this petition.

51. Jay Jacob Wind was convicted on June 12, 1970 in the Circuit Court for Dane County of the crime of sale of marijuana and was sentenced to 18 months probation. He was granted an absolute pardon because he had no difficulty with the law since mid 1971, because he had recently enrolled as a graduate student at the University of Georgia, because he was active in community affairs during the three years he lived in Madison, because his parole officer stated at the time of his early discharge he had made one mistake but felt he had learned from it, and because the Parole Board recommended a pardon.

52. James Vincent Wojcik was convicted on March 6, 1972 in the Circuit Court for Taylor County of the crime of sale of dangerous drugs (2 counts) and was sentenced to three years probation and a \$500 fine. He was granted a conditional pardon based on the condition that he not be convicted of any felony for a period of two years because he had no prior or subsequent criminal convictions, because he wished to remove any possible hindrance toward employment opportunities upon his graduation and because the Parole Board recommended a pardon.

53. Stephen Arthur Younk was convicted on July 1, 1976 in the County Court of Kewaunee County of the crime of possession of a controlled substance and was sentenced to 18 months probation. He was granted a conditional pardon based on the condition that he not be convicted of a felony for a period of two years because he had no prior or subsequent criminal record, because he had completed college and post-graduate work since his conviction, because his

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probation officer had no objection to a pardon and because of numerous supportive letters from associates.

NOTE: During the above period, 127 applications for Executive Clemency were denied by Governor Lucey.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

January 12, 1977.

To the Honorable, the Senate:

I have the honor to report to you the pardons and commutations of sentence which were heard during the year 1977 and granted by Acting Governor Martin J. Schreiber, with reasons therefore, as required by Article V, Section 6, of the Wisconsin Constitution.

1. Patrick Joseph Beda was convicted on April 22, 1974 in the County Court of Vilas County of the crime of burglary (2 counts) and was sentenced to two years, this sentence stayed and placed on three years probation. He was granted a conditional pardon because of his excellent adjustment to probation resulting in his early discharge, because he had no prior or subsequent criminal record, because he has been employed for the past five years.

2. Gerald Bubolz was convicted on April 23, 1962 in the County Court of Vilas County of the crime of burglary and felony theft and was sentenced to 18 months probation. He was granted an absolute pardon in order to make him eligible for a job promotion and to permit him to become active in politics, because the Parole Board recommended a pardon, because his convictions stemmed from the removal of a go-cart and two gas tanks and because this offense represents his only criminal record.

3. James Bubolz was convicted on April 23, 1962 in the County Court of Vilas County of the crime of burglary and felony theft and was sentenced to 18 months probation. He was granted an absolute pardon because his conviction stemmed from the removal of a go-cart and two gas tanks and because this offense represents his only criminal record, because he later graduated from the University of Wisconsin - Madison and is now self-employed.

4. Alan A. Carlson was convicted on August 4, 1966 in the County Court of Waukesha County of the crime of sexual intercourse with a minor and was sentenced to three years probation, the first 90 days to be served in County Jail. He was granted an absolute pardon because

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the Parole Board recommended a pardon, because he has been employed for the last ten years, because he seeks to restore his civil rights and to provide him a better opportunity to apply for future employment.

5. Harold William Hill was convicted on September 28, 1960 in the County Court of Iowa of the crime of theft (2 counts) and was sentenced to one year probation each count, consecutive. He was granted an absolute pardon because he is married and has five children, because he had no prior or subsequent criminal convictions, because he has maintained steady employment, because his application contains letters of recommendation from the Iowa County Sheriff and District Attorney and because he wishes to seek further employment promotions.

6. John Craig Husmoe was convicted in the County Court of Dane County on May 7, 1971 of the crime of shoplifting and was sentenced to a \$50.00 fine. He was granted an absolute pardon because he had no prior or subsequent convictions, because the conviction was a misdemeanor, because he has earned a graduate degree from the University of Wisconsin Madison since his conviction and has worked as a financial analyst for a major computer corporation in Detroit, because he is currently employed as a commercial loan officer in Illinois, because his conviction is a serious disadvantage to him in his work in the banking and financial analysis field.

7. James Ernest Klein was convicted on June 14, 1965 in the County Court of Waukesha County of the crime of theft (3 counts), issue of worthless checks (6 counts) and was sentenced to two years plus restitution and six months plus restitution. These sentences were stayed and he was placed on two years probation. He was granted an absolute pardon because restitution was made, because he has been a member of the Waukesha County Sheriff's Reserve for the last three years, because he wishes to progress in the law enforcement field.

8. Mitchell D. Kreiter was convicted on July 25, 1972 in the Circuit Court of Dane County of the crime of possession of a dangerous drug and was sentenced to a fine of \$200. He was granted an absolute pardon because this was his only criminal conviction, because he wishes to enter John Marshall Law School, because he wishes to be admitted to the Illinois Bar in the future, and because of support from his professor at John Marshall Law School and his employer.

9. Linda Patricia Kruegel was convicted on May 10, 1967 in the County Court of Milwaukee County of the crime of disorderly

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conduct and was sentenced to one year probation. Further, she was convicted on September 30, 1971 in the County Court of Columbia County of the crime of forgery (4 counts) and was sentenced to five years probation each count, concurrent. She was granted an absolute pardon because she made restitution for the forgery convictions, because she has been steadily employed in Las Vegas since 1972, because she has joined various social clubs and associations in Las Vegas, because she wishes to obtain a real estate broker's license.

10. Allen Edward Littleton was convicted on September 28, 1954 in the County Court of Oneida County of the crime of larceny and forgery and was sentenced to an indeterminate term of one-two years each count, concurrent. He was granted an absolute pardon because he had no prior or subsequent convictions, because he received an early discharge over 20 years ago, because of numerous letters of recommendation from citizens, because he was elected to the Town Chairmanship in Monoco in 1977 and because he seeks a pardon in order to retain his position.

11. Eddie McGee was convicted on July 27, 1970 in the County Court of Racine County of the crime of first degree murder and was sentenced to life. He was granted a commutation of sentence to 50 years because he has been found to have terminal cancer, because the Parole Board recommended that his sentence be commuted, because of numerous letters of recommendation and because of his satisfactory institutional adjustment.

12. Stephen M. Miller was convicted on May 26, 1972 in the County Court of Kenosha County of the crime of delivering a controlled substance and was sentenced to 18 months probation. He was granted an absolute pardon because he had no prior or subsequent criminal convictions, because he was graduated from UW-Parkside, and because the Parole Board recommends a pardon.

13. Elmer K. Morton was convicted on December 26, 1958 in the Municipal Court for Kenosha County of the crime of operating an auto without the owner's consent and was sentenced to 18 months probation; Further he was convicted on January 22, 1962 in the County Court for Kenosha County of the crime of burglary and was sentenced to 3 years. He was granted an absolute pardon because he has demonstrated a stable and responsible employment history for the past eleven years, because of his youth at the time of the convictions and because the Parole Board recommended a pardon.

14. Jerry Louis Olk was convicted on May 17, 1969 in the County Court of Oneida County of the crime of burglary and was sentenced

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to 18 months probation. He was granted an absolute pardon because he made restitution, because of his youth at the time, because the Parole Board recommended a pardon and because his criminal record has precluded him from obtaining positions in the banking profession and in pharmaceutical sales.

15. Rolland Albert Spriggle was convicted on July 26, 1962 in the County Court of Pierce County of the crime of forgery and was sentenced to three years. He was granted an absolute pardon because of his youth at the time of the offense, because he has worked as a deputy sheriff for Goodhue County in Minnesota because of a recommendation from the Sheriff of Goodhue County and because the Parole Board recommends a pardon.

16. John Jacob Stanelle was convicted on March 25, 1965 in the Circuit Court of Milwaukee County of the crime of burglary and was sentenced to three years probation. He was granted an absolute pardon because he wishes to purchase a restaurant with a tavern license, because he was 20 years old at the time of the offense, because the Parole Board recommends a pardon and because he has been the manager of the restaurant for eight years.

17. Paul Lee Terry was convicted on April 25, 1972 in the County Court for Crawford County of the crime of burglary and was sentenced to 18 months probation. He was granted an absolute pardon because he had no prior or subsequent felony convictions, because he showed outstanding adjustment to his probation supervision, because he is currently employed, because his probation officer has written in support of this petition, because State Representative Gary Johnson recommended a pardon, because the Parole Board recommended a pardon and because he desires to be a law enforcement officer.

18. Richard J. Vigue was convicted on June 27, 1960 in the County Court of Langlade County of the crime of burglary and was sentenced to four years probation. He was granted an absolute pardon because he had no prior or subsequent criminal convictions, because he had maintained steady employment, because he had led a crime-free life for over 17 years and because of numerous supportive letters.

19. William Wenzel was convicted on October 25, 1973 in the Circuit Court of Dane County of the crime of possession of marijuana with intent to deliver and was sentenced to two years probation. He was granted a conditional pardon based on the condition that he not be convicted of any felony for a period of two years because this



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represented his only criminal conviction, because the Parole Board recommended a pardon, because he graduated from the University of Wisconsin-Oshkosh, because he has been employed for the last two and one-half years with the Alcohol Education Treatment Program in conjunction with the Wisconsin Department of Corrections and because he had been accepted at Hamlin Law School in Minnesota.

20. Elsie Wrosch was convicted on January 19, 1951 in the Municipal Court for Milwaukee County of the crime of first degree murder and was sentenced to life. She was granted an early discharge at the request of Division of Corrections Administrator, Allyn Sielaff because of her excellent adjustment, because she had demonstrated a stable family history for the past twelve years, because she had no prior or subsequent felony convictions; and because she was experiencing substantial health problems.

21. Frank Harold Youngquist was convicted on January 31, 1961 in the County Court of Milwaukee County of the crime of theft and was sentenced to two years probation. He was granted an absolute pardon because he had no prior or subsequent criminal record, because this appeared to have been an isolated incident in an otherwise law abiding life and because he shows interest in running for public office.

NOTE: During the above period, 56 applications for Executive Clemency were denied by Acting Governor Schreiber.

Sincerely,

MARTIN J. SCHREIBER

Governor

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### MOTIONS

#### MOTIONS UNDER JOINT RULE 97

A certificate of commendation by Senator Risser for EVELYN HIGES for her tireless work with Protect Animal Life Incorporated.

A certificate of commendation by Senator Theno for the NORTHLAND SAVINGS AND LOAN ASSOCIATION on their 75 years in business.

A certificate of congratulations by the entire membership of the Senate for ROBERT M. THOMPSON on his appointment as the

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United States Marshal for the Western District of the State of Wisconsin.

A certificate of commendation by Senators Risser and Kleczka for JOHN KOSOBUCKI for his dedicated service to the Wisconsin State Senate.

A certificate of commendation by Senator Krueger; cosponsored by Representative Kincaid for MIKE KROPETZ on earning the position of Eagle Scout.

A certificate of congratulations by Senator Chilsen for MR. AND MRS. PAUL OTT on being chosen Outstanding Citizens of the Town of Wausau.

A certificate of commendation by Senator Petri; cosponsored by Representative Hephner for MRS. ALMA BURG for her long and devoted service to her community, family and church.

A certificate of commendation by Senator Theno; cosponsored by Representative Kedrowski for RUDY FRECHETTE on his distinguished career as sheriff of Bayfield County.

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### AMENDMENTS OFFERED

Senate amendment 1 to senate substitute amendment 1 to **Senate Bill 151** by Senator Dorman.

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### CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Relating to **Senate Bill 578**

On page 76, line 4, substitute "65 years of age or older" for "65 years of age or older".