

JOURNAL OF THE SENATE

Eighty-Fourth Regular Session

THURSDAY, January 4, 1979.

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

BILLS INTRODUCED

Read first time and referred:

Senate Bill 1

Relating to increasing the amount of the 1978 special property tax credit, modifying the standard deduction, excluding from taxation a portion of the gain from the sale of a principal residence by certain persons, modifying and indexing for inflation the individual income tax rates and brackets, increasing personal exemptions, expanding the homestead tax credit, increasing the inheritance tax exemption for interspousal transfers and exempting home heating fuels from sales and use taxes.

By Senators Thompson, Risser, Frank, Bablitch, Flynn, Swan, Kleczka, Berger, Cullen, Goyke, Harnisch, Maurer, Braun, Offner, Adelman, Radosevich, Van Sistine, Bear, Moody, Roshell and Strohl; cosponsored by Representatives Jackamonis, Wahner, Ferrall, Kedrowski, Johnson, Norquist, Plewa, Kincaid, Kirby and Wood.

To joint committee on Finance.

COMMITTEE REPORTS

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

Senate Bill 2

Relating to review and disapproval of administrative rules, rule-making procedures, granting rule-making authority and making an appropriation.

Introduction:

Ayes, 8 -- Senators Berger, Bear, Strohl, Murphy and Radosevich, Representatives Wagner, Rogers and Thompson;

Noes, 1 -- Representative McClain.

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Read first time and referred to Joint Committee for Review of Administrative Rules.

Senate Bill 3

Relating to adoption of certain administrative rules by legislative standing committees, fiscal estimates on rule-making orders and granting rule-making authority.

Introduction:

Ayes, 9 -- Senators Berger, Bear, Strohl, Murphy and Radosevich, Representatives Wagner, McClain, Rogers and Thompson;

Noes, 0 -- None.

Read first time and referred to Joint Committee for Review of Administrative Rules.

DAVID G. BERGER

Chair

PETITIONS AND COMMUNICATIONS

December 14, 1978.

Senator Fred A. Risser
President Pro Tempore
State Capitol
Madison, Wisconsin

Dear Senator Risser:

Pursuant to Section 17.01 of the Wisconsin State Statutes, I herewith submit this, my irrevocable resignation as State Senator of the 20th Senatorial District in the State of Wisconsin, this resignation to take effect at midnight of December 31, 1978.

ERNEST C. KEPPLER

Senator

December 14, 1978.

Senator Fred A. Risser
President Pro Tempore
State Capitol
Madison, Wisconsin

Dear Mr. President:

I hereby irrevocably resign as State Senator of the 4th District effective as of the close of business on January 3, 1979.

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My four years in the State Senate have been interesting and challenging. I would like to express my appreciation to you, my colleagues and the Senate staff for all which you have done.

F. JAMES SENSENBRENNER

Member of Congress-Elect

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

December 31, 1978.

To the Honorable, the Senate:

I have the honor to report to you, pursuant to Article V, Section 6 of the Wisconsin Constitution, that of the 240 petitions for executive clemency in which I rendered decisions in calendar year 1978, the following 39 individuals were granted clemency in the form of a pardon or a commutation of sentence.

Sincerely,
MARTIN J. SCHREIBER
Governor

1. Ronald J. Alsteen was convicted on October 25, 1960 in the County Court of Oneida County of the crime of sexual intercourse with a minor and was sentenced to three years. He was granted an absolute pardon because of past nineteen years leading a law abiding life, because he, with his wife, is actively engaged in the raising of a family, because he seeks executive clemency for vocational purposes.

2. Pamela Kay Bostwick was convicted on December 10, 1974 in the Circuit Court of Rock County of the crime of aiding and abetting in falsely making a blank check and was placed on probation for two years. She was granted a conditional pardon that she not be convicted of any federal, state or municipal law violation for a period of two years, because she has been gainfully employed by Rock County in positions of responsibility, because she is now the sole provider for her two sons, because the Parole Board recommends that executive clemency be granted, because she seeks executive clemency for employment purposes.

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3. Michael James Boylan was convicted on November 10, 1969 in the County Court of Calumet County of the crime of theft and was sentenced to two years probation. He was granted an absolute pardon because he served his country in an exemplary manner in the Marine Corp, because the Parole Board recommends that executive clemency be granted, because he seeks executive clemency for employment purposes.

4. James W. Clayton was convicted on April 30, 1968 in the County Court of Eau Claire County of the crime of issuing a worthless check and was sentenced to one year probation and a fine of \$50.00. He was granted an absolute pardon because the Parole Board recommended a pardon, because there have been no subsequent convictions, because since his conviction he has graduated from the University of Wisconsin-Eau Clair and done graduate work at Arizona State University, because he has worked successfully with the Wells Fargo Protective Service since June of 1976, because he seeks executive clemency for employment purposes.

5. Michael J. Dischler was convicted on February 4, 1963 in the County Court of Sauk County of the crimes of non-support and transfer of encumbered property and was sentenced to one year in prison and two years on probation, to be served consecutively. He was granted an absolute pardon because he has been gainfully employed since his release, because the Parole Board recommended a pardon, because he seeks executive clemency so that he may run for public office.

6. Terry Lee Douglas was convicted on July 22, 1967 in the County Court of Fond du Lac County of the crime of burglary and was sentenced to two years probation. He was granted an absolute pardon because he has been steadily employed, because he is married and the father of a son with whom he has a close relationship, because he is leading an exemplary life in his community, because he and his wife serve as houseparents at a Halfway House.

7. Harold Douglas Evans was convicted on June 9, 1969 in the County Court of Dane County of the crime of petty theft and was fined \$50. He was granted an absolute pardon because since his conviction he has graduated from a university and has become certified to teach social studies and bilingual education, because he seeks executive clemency for employment purposes.

8. Clarence L. Ewing was convicted on June 12, 1958 in the County Court of Eau Claire County of the crime of sexual perversion, possession of lewd, obscene or indecent matter and indecent liberties

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with a minor and was sentenced to five years or probation. He was granted an absolute pardon because he has pastored churches and worked as an evangelist in Wisconsin and northern Michigan, because the Parole Board recommended a pardon, because he seeks executive clemency for employment purposes.

9. William P. Garrison was convicted on September 30, 1963 in the Circuit Court of Milwaukee County of the crime of operating a vehicle without owner's consent and was sentenced to two years probation and was convicted on June 23, 1964 of the crime of felony theft and was sentenced to four years probation, concurrent. He was granted an absolute pardon because he successfully completed his probation period, because he has learned a productive trade and has been steadily employed, because he has served in responsible positions representing his fellow workers, because he has experienced years of stable family life, being with his wife engaged in raising three children.

10. Sydney T. Gettelman was convicted on January 22, 1957 in the Municipal Court of Kenosha County of the crime of lewd and lascivious behavior and was fined \$300 plus costs. He was granted an absolute pardon because he is a respected member of the medical profession and has served the people of Wisconsin in that capacity for nearly thirty years, because he seeks executive clemency for employment reasons.

11. Thomas W. Goulder was convicted on May 24, 1961 in the Municipal Court of Brown County of the crime of burglary (two counts) and was sentenced to two years and three years consecutive, this sentence being stayed, and thereupon placed on two years probation and three years probation consecutive. He was granted an absolute pardon because he promptly and completely made payment of all court costs and restitution, because his successful probation resulted in an early discharge from supervision, because he has been steadily employed as a machinist since his release, because he has experienced years of stable family life, being with his wife engaged in the raising of two sons, because he seeks executive clemency for employment purposes, because the Parole Board recommended a pardon.

12. Gerald B. Hoffman was convicted on June 10, 1955 in the Municipal Court of Milwaukee County of the crime of attempted burglary and was sentenced to two years probation. He was granted an absolute pardon because he has been steadily employed, because

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he has proven himself to be a stable and contributing member of society.

13. Duane A. Jacobson was convicted on December 22, 1959 in the County Court of Dane County of the crime of fornication and was fined \$100 and costs. He was granted an absolute pardon because he and his wife of 16 years are actively engaged in the raising of a family and three children, because he has led a stable and law-abiding life since his conviction which was over eighteen years ago.

14. David Eugene Jensen was convicted on January 3, 1973 in the Circuit Court of Milwaukee County of the crime of the sale of marijuana and was sentenced to three years on probation. He was granted an absolute pardon because he served his probation term in an exemplary manner, because he has committed his life to the church and the service of mankind through his ministry.

15. Terry L. Kanehl was convicted on August 1, 1957 in the County Court of Washington County of the crime of operating an auto without the owner's consent and was sentenced to one year, this sentence stayed, and thereupon placed on 18 months probation. He was granted an absolute pardon because he was 20 years of age at the time of the offense, because restitution was paid, because he turned himself in to the police and pled guilty to the offense, because he has lived a law-abiding and productive life for the past 20 years, because he seeks executive clemency for employment purposes.

16. Thomas J. Karleski was convicted on March 28, 1974 in the County Court of Brown County of the crime of fraudulent phone calls and was sentenced to a fine of \$100 and costs. He was granted an absolute pardon because of his long and valuable service to the City of Janesville as a member of the City Council, because of his upstanding reputation in his community.

17. Verne H. Knoll was convicted on June 18, 1951 in the Circuit Court of Dodge County of the crimes of forgery (7 counts), obtaining money by false pretenses (2 counts), larceny as bailee (26 counts), issue worthless check (1 count) and was sentenced to one to two years each count consecutively. He was granted an absolute pardon because he has had no convictions for the past 27 years, because he has held positions of responsibility in public service for the past 18 years serving with integrity, professionalism and dedication, because he has proven himself to be a devoted family man, because he in part seeks clemency for employment purposes, because the Parole Board recommended a pardon.

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18. Elmer Herman Kurtze was convicted on October 29, 1951 in the Municipal Court of Milwaukee County of the crime of abandonment and was sentenced to serve two years probation. He was granted an absolute pardon because he has maintained a proper lifestyle and has become a businessman in the Milwaukee community since the conviction for which he seeks clemency, because he seeks executive clemency for employment purposes.

19. Norman R. Leight was convicted on November 3, 1956 in the District Court of Milwaukee County of the crime of forgery (2 counts) and forgery and uttering and was sentenced to terms of 1-5 years on each count concurrent. He was granted an absolute pardon because the Parole Board recommended a pardon, because the offense occurred over 20 years ago, because he was 23 years old at the time, because since his release from prison, he has been steadily employed as a printer, because he seeks executive clemency for business purposes.

20. Robert Frank Maikowski was convicted on June 5, 1946 in the Circuit Court of Milwaukee County of the crime of carnal knowledge and abuse of a minor and was sentenced to a fine of \$100 and court costs and committed to the House of Corrections until said fine and court costs are paid, such imprisonment not to exceed 60 days. He was granted an absolute pardon because he was 23 years of age at the time of the offense, because he has been gainfully employed and productive member of society since his conviction having worked for more than 24 years with Thomas Industries of Fort Atkinson, because he has married and raised two children to adulthood from that marriage.

21. Deanna Louis Raeder Maxey was convicted on November 1, 1963 in the County Court of Sheboygan County of the crime of adultery and was sentenced to serve two years probation. She was granted an absolute pardon because she satisfactorily completed her probation obligation receiving an early discharge from probation status, because she seeks a bartender's license in order that she may obtain part-time employment.

22. Robert James Osborn was convicted on September 11, 1967 in the County Court of Kenosha County of the crime of burglary and was sentenced to two years on probation. He was granted an absolute pardon because for the past 11 years he has been gainfully employed, because the Parole Board recommended a pardon, because he seeks executive clemency for employment purposes.

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23. Timothy J. Rice was convicted on April 14, 1969 in the County Court of Langlade County of the crime of burglary and was sentenced to three years, this sentence being stayed and was placed on three years probation. He was granted an absolute pardon because he was 19 years of age at the time of the offense, because since the conviction he has earned a degree from the University of Wisconsin-Oshkosh, because he has been steadily employed, because he seeks executive clemency for employment purposes, because the Parole Board recommended a pardon.

24. Steven M. Russo was convicted on June 21, 1971 in the County Court of Waukesha County of the crime of theft, criminal damage to property and burglary and was thereupon sentenced to six months in county jail and three years on probation. He was granted a conditional pardon that he exhibit good conduct for a period of four years because he has established himself as a respected member of his community and a devoted family man.

25. Robert Warren Ryan was convicted on September 19, 1944 in the Municipal Court of Milwaukee County for the crime of adultery and was sentenced to three years on probation. He was granted an absolute pardon because he has had no other convictions, because he has been gainfully employed throughout his life.

26. Monique Wanner Sabin was convicted on July 9, 1969 in the Circuit Court of Dane County of the crime of petty theft and was sentenced to a fine of \$50. She was granted an absolute pardon because her offense involved merchandise totaling \$3.83, because she has been employed at the University of Wisconsin-Madison for the past five years, because she was granted a conditional pardon by Governor Lucey for an offense that occurred in 1973, because she seeks executive clemency for employment purposes.

27. Robert Hilary St. John was convicted on June 3, 1952 in the Municipal Court of Milwaukee County of the crime of carnal knowledge and abuse and was fined \$75.00. He was granted an absolute pardon because he has been steadily employed and has assumed positions of considerable responsibility, because he has been married for twenty-eight years and is engaged with his wife in the raising of eight children, because he is a respected citizen in his community, because he seeks executive clemency for employment purposes.

28. John Richard Sandler was convicted on June 3, 1964 in the County Court of Dane County of the crime of unlawfully selling drugs without being a registered pharmacist and was ordered to pay a

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\$75.00 fine. He was granted an absolute pardon because he has had no other convictions, because since his conviction he has earned his law degree and is now a practicing attorney and county probate judge, because he seeks executive clemency for employment purposes.

29. Roger Sarinske was convicted on October 13, 1976 in the Circuit Court of Forest County of the crime of first degree murder and was sentenced to life in prison. He was granted a commutation of sentence from a term of life to a term of 99 years because he has had no other convictions, because he has shown positive adjustment to incarceration, because the presiding judge at his trial recommends that executive clemency be granted.

30. Vincent C. Soulman was convicted on August 19, 1968 in the County Court of Waukesha County of the crime of burglary, criminal damage to property, and attempt to elude a traffic officer and was sentenced to two years probation and fined \$100.00. He was granted an absolute pardon because for the past ten years he has been gainfully employed in positions of responsibility, because the Parole Board recommended a pardon, because he seeks executive clemency for employment purposes.

31. Joseph F. Spath was convicted on May 16, 1974 in the County Court of Chippewa County of the crime of theft and was sentenced to two years on probation. He was granted an absolute pardon because he has had no other convictions, because of his full cooperation with the authorities at the time of his offense.

32. Michael Staszewski was convicted on October 28, 1968 in the County Court of Waukesha County of the crime of unlawful use of marijuana and was sentenced to three years probation. He was granted an absolute pardon because he has had no other convictions, because he has since his conviction held gainful employment, because he seeks executive clemency for employment purposes.

33. Rudolf Stemplinger was convicted on September 3, 1960 in the District Court of Milwaukee County of the crime of contributing to the delinquency of a minor and was sentenced to two years on probation. He was granted an absolute pardon because he has had no other convictions, because since his conviction he has held gainful employment.

34. Joseph Leo Waldron was convicted on November 12, 1975 in the County Court of Door County of the crime of possession of marijuana and was fined \$100 and ordered to pay \$9 costs, or was to

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spend ten days in the county jail. He was granted an absolute pardon because his misdemeanor conviction is depriving him of his livelihood as a merchant seaman, because he has a history of gainful employment, because it is his intention not to possess, use, or sell controlled substances in the future.

35. James Weakley was convicted on December 13, 1968 in the County Court of Dane County of the crime of illegally making a bet and was fined \$50.00. He was granted an absolute pardon because his conviction was for illegally making a bet while he was employed as a bartender at Rohde's Steak House in Madison and he has continued to work as a bartender at Rohde's since that conviction, because he states that he has never been engaged in any gambling of a commercial nature, because he seeks executive clemency for employment purposes, because he states that he has been offered employment which requires obtaining a surity bond.

36. Pamela Weakley was convicted on January 26, 1965 in the County Court of Dane County of the crime of lewd and lascivious behavior and was fined \$100.00. She was granted an absolute pardon because the conviction was a misdemeanor, because she seeks executive clemency because she believes the conviction may affect her ability to obtain credit in employment, because she states that the conviction has caused her difficulties in employment.

37. Jack Randolph Wescott was convicted on May 5, 1969, in the County Court of Columbia County of the crime of theft and was sentenced to two years on probation and was convicted of the crime of burglary and had his probation revoked and was sentenced to three years in the Wisconsin State Reformatory at Green Bay. He was granted an absolute pardon because he has been gainfully employed as a machinist since his release from supervision, because he has been actively involved in the Youth Services Program in the State of Florida, because he seeks executive clemency so that he and his wife may become licensed as foster home parents.

38. John Zarcone was convicted on April 3, 1961 in the Municipal Court of Milwaukee County of the crime of theft and was sentenced to three years probation. He was granted an absolute pardon because he was 18 years old at the time of the offense, because he has no subsequent convictions, because he has been employed for over a year with the City of Greenfield Police Department as an Auxiliary Police Sergeant, because he seeks executive clemency in order to join the regular police force.

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39. Martin R. Zens was convicted on February 8, 1974 in the County Court of Eau Claire County of the crime of causing property damage and was sentenced to two years probation. He was granted an absolute pardon because his probation term was served in an exemplary manner, because he has held gainful employment and has completed his bachelor's degree, because the Parole Board recommended a pardon, because he seeks executive clemency for employment purposes.