JOURNAL OF THE SENATE  [February 8, 1977]

Read first time and referred to committee on Judiciary and Consumer Affairs.

Senate Bill 148  
Relating to appellate practice and procedure.  
By request of the Judicial Council.  
Introduction; Ayes, 3; Noes, 0.  
Read first time and referred to committee on Judiciary and Consumer Affairs.

JAMES T. FLYNN  
Chairman

The committee on Governmental and Veterans' Affairs reports and recommends:

Senate Bill 63  
Relating to the veterans first mortgage loan program and the appointment of the secretary of veterans affairs.
  Adoption of senate amendment 1; Ayes, 4; Noes, 0.  
  Introduction and adoption of senate amendment 2; Ayes, 4; Noes, 0.  
  Introduction and adoption of senate amendment 3; Ayes, 4; Noes, 0.  
  Passage as amended; Ayes, 3; Noes, 1.

MONROE SWAN  
Chairman

The committee on Judiciary and Consumer Affairs reports and recommends:

KOLKA, MARY E., of Madison, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1979.
Confirmation; Ayes, 4; Noes, 0.

Senate Bill 58  
Relating to the rights and duties of adjoining landowners with respect to lateral support.
  Passage; Ayes, 4; Noes, 0.

JAMES T. FLYNN  
Chairman

JOURNAL OF THE SENATE  [February 8, 1977]

EXECUTIVE COMMUNICATIONS
State of Wisconsin
Office of the Governor
Madison, Wisconsin  

To the Honorable, the Senate:

On January 7, 1977, I submitted to the Senate the nomination of David J. Ward, of Neenah, for membership on the Chiropractic Examining Board.

I am writing at Mr. Ward's request to ask that this nomination be withdrawn. It will not be possible for Mr. Ward to serve at this time.

Sincerely,

PATRICK J. LUCEY  
Governor

State of Wisconsin  
Executive Department

To the Honorable, the Legislature:

I have the honor to report to you the pardons and commutations of sentence granted by me as Governor during the year 1976, with reasons therefore, as required by Article V, Section 6, of the Wisconsin Constitution.

1. Catherine Agard was convicted on December 7, 1971 in the County Court for Dane County of the crime of shoplifting and was sentenced to a $200 fine and 5 days in the county jail. She was granted an absolute pardon based on no prior or subsequent felony convictions.

2. Thomas Arnot was convicted on August 17, 1972 in the Circuit Court for Grant County of the crime of sale and delivery of marijuana and was sentenced to 2 years probation. He was granted an absolute pardon based on no prior or subsequent felony convictions and on recommendation from the Parole Board.

3. James Brisk was convicted on September 8, 1959 in the Circuit Court for Shawano County of the crime of operating an auto without owner's consent and was sentenced to 2 years. In
addition, James Brisk was convicted on October 3, 1961 in the County Court for Shawano-Menominee County of the crimes of aggravated battery and battery and was sentenced to 5 years and 30 days to be served concurrently. He was granted an absolute pardon based on no prior or subsequent felony convictions and on recommendation from the Parole Board.

4. Leon Brown was convicted on May 27, 1954 in the Municipal Court for Milwaukee County of 2 counts of obtaining merchandise by false pretenses and was sentenced to two three year terms to be served concurrently. In addition, Leon Brown was convicted on September 9, 1954 in the District Court for Milwaukee County of the crime of fraudulent concealment of property under a conditional sales contract and was sentenced to 6 months to be served concurrently with his other sentence. He received an absolute pardon based on recommendation from the Parole Board.

5. Roy Buehrle was convicted on September 27, 1971 in the Circuit Court for LaCrosse County of 2 counts of sale of a dangerous drug and was sentenced to 30 months probation on each count. He was granted an absolute pardon based on no prior or subsequent felony convictions and on recommendation from the Parole Board.

6. Kenneth Chambers was convicted on March 8, 1967 in the Circuit Court for 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 based on a recommendation from the Parole Board.

7. Kathleen Reid Collins was convicted on February 23, 1968 in the County Court for Milwaukee County of the crime of criminal damage to property and was sentenced to 30 days. In addition, Kathleen Reid Collins was convicted on February 14, 1969 in the Circuit Court for Milwaukee County of the crime of forgery and was sentenced to 3 years probation and restitution. She was granted an absolute pardon based on no prior or subsequent felony convictions and on recommendation from the Parole Board.

8. Alvin Cook was convicted on December 31, 1962 in the Circuit Court for Grant County of two counts of operating auto without owner's consent and was sentenced to 3 years on each count to be served concurrently. He was granted an absolute pardon based on no prior or subsequent felony convictions and on recommendation from the Parole Board.

9. Todd Damrow was convicted on February 25, 1974 in the County Court for LaCrosse County of the crime of theft and was sentenced to a $75 fine. He was granted an absolute pardon based on no prior or subsequent felony convictions and for employment opportunities.

10. Patrick DeLang was convicted on January 30, 1935 in the Municipal Court for Manitowoc County of the crime of aiding probationer to break probation and was sentenced to 1 year. He was granted an absolute pardon based on no prior or subsequent felony convictions and on his stable position in the community.

11. Allen Gilmore was convicted on July 18, 1963 in the Circuit Court for Milwaukee County of two counts of theft and was sentenced to 3-1/2 years probation. He was granted an absolute pardon based on no prior or subsequent felony convictions.

12. Mary Griffin was convicted on July 5, 1966 in the Circuit Court for Milwaukee County of the crime of receiving and concealing stolen property and was sentenced to 2-1/2 years probation. She was granted an absolute pardon based on no prior or subsequent felony convictions and on recommendation from the Parole Board.

13. Thomas Gunderson was convicted on August 15, 1969 in the County Court for Dane County of the crime of petty theft and was sentenced to a $50 fine. In addition, Mr. Gunderson was convicted on August 27, 1970 in the County Court for Dane County of the crime of petty theft and was sentenced to a $100 fine. He was granted an absolute pardon based on no prior or subsequent felony convictions and for business opportunities.

14. Thomas Hardinger was convicted on December 10, 1971 in the County Court for Wood County of the crime of aid and abet possession of dangerous drugs with intent to sell and was sentenced to 3 years probation. He was granted an absolute pardon based on no subsequent felony convictions and his early discharge from supervision.

15. Christopher Heintz was convicted on July 21, 1970 in the County Court for Waukesha County of the crime of possession of dangerous drug and was sentenced to 2 years probation. He was granted an absolute pardon based on no prior or subsequent felony convictions and on recommendation from the Parole Board.
16. Stuart Heiser was convicted on September 17, 1971 in the County Court for Waukesha County of the crime of arson and was sentenced to 3 years probation. In addition, Mr. Heiser was convicted on September 17, 1971 in the County Court for Waukesha County of the crime of furnishing fermented malt beverages to a person under 18 and was sentenced to a $100 fine. He was granted an absolute pardon based on no prior or subsequent felony convictions and on recommendation from the Parole Board.

17. Gary Hilbert was convicted on February 15, 1968 in the County Court for Kenosha County of the crime of aiding and abetting burglary and was sentenced to 2 years probation. He was granted an absolute pardon based on no prior or subsequent felony convictions and on recommendation from the Parole Board.

18. Donald Hodach was convicted on January 17, 1962 in the District Court for Milwaukee County of the crime of forgery and was sentenced to 2 years probation. He was granted an absolute pardon based on a recommendation from the Parole Board and for business opportunities.

19. Milton Hutchins was convicted on March 3, 1969 in the County Court for Milwaukee County of being party to the crime of forgery (uttering) and was sentenced to 3 years probation. He was granted an absolute pardon based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

20. Randall Jansen was convicted on February 16, 1971 in the Circuit Court for Milwaukee County of the crime of sexual intercourse with a child and was sentenced to 3 years probation. He was granted a conditional pardon on the condition subsequent that he not be convicted of a felony for a period of 3 years based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

21. Clarence Jennings was convicted on November 5, 1962 in the Circuit Court for Milwaukee County of the crime of burglary and was sentenced to 2 years. He was granted an absolute pardon based on no prior or subsequent felony convictions.

22. David Jennings was convicted on November 5, 1962 in the Circuit Court for Milwaukee County of the crime of burglary and was sentenced to 2 years probation. He was granted an absolute pardon based on no prior or subsequent felony convictions.

23. Lloyd Johnson was convicted on August 10, 1961 in the County Court for Chippewa County of the crime of issue worthless checks and was sentenced to 1 year probation. In addition, Mr. Johnson was convicted on June 7, 1962 in the County Court for Chippewa County of seven counts of forgery (uttering) and was sentenced to 1 year on each count to be served concurrently. He was granted an absolute pardon based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

24. Walter Juslen was convicted on October 24, 1957 in the County Court for Waukesha County of the crime of carrying a concealed weapon and was sentenced to 1 year probation. In addition, Mr. Juslen was convicted on July 3, 1967 in the County Court for Waukesha County of the crime of disorderly conduct and was sentenced to 30 days. He was granted an absolute pardon based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

25. Robert Karpinsky was convicted on March 12, 1970 in the County Court for Dane County of the crime of disorderly conduct and was sentenced to a $50 fine. He was granted an absolute pardon based on no prior or subsequent felony convictions.

26. William Kirchen was convicted on September 27, 1973 in the Circuit Court for Portage County of the crime of arson and was sentenced to 2 years. He was granted a conditional pardon on the condition subsequent that he not be convicted of a felony for a period of 3 years based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

27. Paul Kneeland was convicted on February 16, 1972 in the County Court for Milwaukee County of the crime of possession of marijuana and was sentenced to 18 months probation. He was granted an absolute pardon based on a recommendation from the Parole Board.

28. Gary Lee Krahn was convicted on May 12, 1958 in the Municipal Court for Kenosha County of the crime of theft and was sentenced to 18 months. In addition, Mr. Krahn was convicted on October 14, 1958 in the Municipal Court for Kenosha County of the crime of malicious destruction of property and was sentenced to 4 months to be served concurrently with his other sentence. He was granted an absolute pardon based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

29. Paul Kreuser was convicted on October 31, 1958 in the Municipal Court for Kenosha County of the crime of receiving
stolen property and was sentenced to 2 years. He was granted an absolute pardon based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

30. Charles LeClaire was convicted on August 15, 1972 in the Circuit Court for Dane County of the crime of possession of marijuana and was sentenced to 2 years probation. He was granted an absolute pardon based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

31. David Liska was convicted on June 29, 1956 in the Municipal Court for Milwaukee County of the crime of larceny and was sentenced to 1 year probation. He was granted an absolute pardon based on no prior or subsequent felony convictions.

32. Michael Magida was convicted on September 14, 1970 in the County Court for Vilas County of the crimes of possession of marijuana and possession of methadrin and was sentenced to a $150 fine on each count. He was granted an absolute pardon based on no prior or subsequent felony convictions and for business opportunities.

33. Cleatus Marshall was convicted on December 22, 1970 in the County Court for Milwaukee County of the crime of disorderly conduct and was sentenced to a $15 fine. He was granted an absolute pardon based on no prior or subsequent felony convictions and for business opportunities.

34. Walter Miske was convicted on June 6, 1958 in the Municipal Court for Milwaukee County of the crime of receiving stolen property and was sentenced to 8 years. He was granted an absolute pardon based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

35. Theodore Moriarity was convicted on September 25, 1970 in the County Court for Milwaukee County of the crime of contributing to the delinquency of a minor and was sentenced to 2 years probation; and on October 8, 1970 in the Circuit Court for Menominee County of the crime of threat of injury to extort money and was sentenced to 2 years probation. She was granted an absolute pardon based on a recommendation from the Parole Board and for educational achievements.

36. Delores O'Brien was convicted on January 22, 1962 in the County Court for Manitowoc County of the crime of child neglect and was sentenced to 2 years probation; on June 25, 1970 in the County Court for Menominee County of the crime of contributing to the delinquency of a minor and was sentenced to 2 years probation; and on October 8, 1970 in the Circuit Court for Menominee County of the crime of threat of injury to extort money and was sentenced to 2 years probation. She was granted an absolute pardon based on a recommendation from the Parole Board and for educational achievements.

37. Victor Ortiz was convicted on February 23, 1972 in the County Court for Eau Claire County of the crime of possession of a narcotic drug and was sentenced to 26 months probation. He was granted a conditional pardon on the condition subsequent that he not be convicted of a felony for a period of 3 years based on no prior or subsequent felony convictions and on his work in the community.

38. Dennis Pawlak was convicted on January 10, 1964 in the County Court for Chippewa County of four counts of burglary, operating an auto without owner's consent and theft and was sentenced to 3 years on each count to be served concurrently. He was granted an absolute pardon based on no prior or subsequent felony convictions.

39. Gary Pierce was convicted on May 25, 1972 in the Circuit Court for Dane County of two counts of sale of dangerous drug and was sentenced to 3 years probation on each count to be served concurrently. He was granted a conditional pardon on the condition that he not be convicted of a felony for a period of 3 years based on no prior or subsequent felony convictions.

40. Richard Prince was convicted on December 19, 1957 in the Municipal Court for Milwaukee County of the crime of sexual intercourse with a child and was sentenced to 2 years probation. He was granted a conditional pardon on the condition that he not be convicted of a felony for a period of 3 years based on no prior or subsequent felony convictions.

41. Robert Reyes was convicted on December 17, 1959 in the County Court for Milwaukee County of the crimes of possession of burglars tools and attempted burglary and was sentenced to two 3 year terms to be served concurrently. In addition Mr. Reyes was convicted on December 18, 1959 in the Municipal Court for Milwaukee County of the crime of burglary and was sentenced to 3
years. He was granted an absolute pardon based on no subsequent felony convictions.

42. Paul Streff was convicted on February 14, 1972 in the Circuit Court for Milwaukee County of being party to the crime of attempting to obtain a narcotic drug by fraud and was sentenced to 2 years probation. He was granted a conditional pardon on the condition that he not be convicted of a felony for a period of 3 years based on no prior or subsequent felony convictions and his community work.

43. Forrest Sullivan was convicted on June 11, 1971 in the Circuit Court for Dane County of the crime of sale of obscene film and was sentenced to a $300 fine. He was granted an absolute pardon based on no prior or subsequent felony convictions.

44. John P. Thompson was convicted on July 11, 1968 in the Circuit Court for Milwaukee County of the crime of possession of marijuana for smoking purposes and was sentenced to 1 year probation. He was granted an absolute pardon based on no prior or subsequent felony convictions.

45. Allen Traxler was convicted on February 7, 1962 in the County Court for Rock County of the crime of armed robbery and was sentenced to 5 years. He was granted an absolute pardon based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

46. Merceline Warrington was convicted on March 5, 1958 in the County Court for Shawano County of the crime of larceny and was sentenced to 1 year. She was granted an absolute pardon based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

47. Stephen Welsh was convicted on August 29, 1955 in the Municipal Court for Milwaukee County of the crime of carnal knowledge and abuse and was sentenced to an indeterminate term. He was granted an absolute pardon based on no prior or subsequent felony convictions and on a recommendation from the Parole Board.

48. Walter Wetzel was convicted on February 25, 1957 in the Circuit Court for Clark County of the crime of sexual intercourse with a female not his wife and was sentenced to 1 year probation and a $100 fine. He was granted an absolute pardon based on no prior or subsequent felony convictions.

49. Thomas Wilcott was convicted on November 6, 1969 in the County Court for Waupaca County of 2 counts of petty theft, theft and receiving stolen property and was sentenced to 90 days in the county jail and two 2 year terms to be served concurrently. He was granted an absolute pardon based on employment purposes.

Sincerely,

PATRICK J. LUCEY
Governor

FELGER, GEORGIA A., of Milwaukee, as a member of the Psychology Examining Board, to serve for the term ending July 1, 1979.

KOLKA, MARY E., of Madison, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1979.

By request of Senator Bablitch, with unanimous consent, the above appointments were considered en masse.

The question was: Confirmation?

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

Ayes -- Senators Adelman, Bablitch, Berger, Bidwell, Braun, Chilsen, Cullen, Dorman, Flynn, Frank, Goyke, Harrisch, Keppler, Kleczka, Krueger, Lorge, McCallum, McKenna, Maurer, Morrison, Murphy, Offner, Parys, Peloquin, Petr, Radosevich, Risser, Sensenbrenner, Swan, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- None.

So the appointments were confirmed.

MESSAGE FROM THE ASSEMBLY

By Everett E. Bolle, chief clerk.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in:

Assembly Joint Resolution 21

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