

JOURNAL OF THE ASSEMBLY [January 25, 1980]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fourth Regular Session

FRIDAY, January 25, 1980.

9:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Representative Wagner.

Representative Loftus led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present -- Andrea, Barczak, Barry, Behnke, Bradley, Broydrick, Byers, Clarenbach, Cogg, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 95.

Absent -- None.

Absent with leave -- Becker and Goodrich -- 2.

AMENDMENTS OFFERED

Assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 109** offered by Representative Wood.

Assembly amendment 14 to assembly substitute amendment 2 to **Assembly Bill 966** offered by Representative Ward.

SPECIAL ORDER OF BUSINESS AT 9:00 A.M. ON
FRIDAY, JANUARY 25

Assembly Bill 966

Relating to creating a department of energy, and a division of public utility consumer affairs in the department of justice, reorganizing the public service commission and state energy functions, granting rule-making authority, making appropriations and providing a penalty.

The question was: Shall assembly amendment 1 to assembly substitute amendment 2 to **Assembly Bill 966** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conratt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Harer, Harsdorf, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Norquist, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 92.

Noes -- Hopkins and Omernick -- 2.

Absent or not voting -- Becker, Goodrich and Hasenohrl -- 3.

Motion carried.

CALL OF THE ASSEMBLY

Representative Wahner demanded a call of the assembly. There were sufficient seconds.

The sergeant-at-arms was directed to close the doors and the chief clerk to call the roll.

The chief clerk called the roll.

Members absent with leave -- None.

Members absent without leave -- Becker, Ferrall, Goodrich and R. Travis.

LEAVES OF ABSENCE

Representative Thompson asked unanimous consent for a leave of absence for today's session for Representative Goodrich. Granted.

Representative Wahner asked unanimous consent for a leave of absence for today's session for Representative Becker. Granted.

Speaker pro tempore Kedrowski in the chair.

Representative Wahner asked unanimous consent that the call of the assembly be lifted. Granted.

Representative Kirby moved rejection of assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 966**.

The question was: Shall assembly amendment 2 to assembly substitute amendment 2 to **Assembly Bill 966** be rejected?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Bradley, Broydrick, Byers, Conradt, Dilweg, Donoghue, Dorff, Everson, Fischer, Flintrop, Gagin, Harer, Harsdorf, Hasenohrl, Helbach, Hephner, Hopkins, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewison, Loftus, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Murray, Nelsen, Norquist, Omernick, Otte, Paulson, Porter, Potter, Quackenbush, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Stitt, Thompson, Travis, D., Tregoning, Tuczynski, Vanderperren, Wagner, Ward, Wood and Young -- 67.

JOURNAL OF THE ASSEMBLY [January 25, 1980]

Noes -- Behnke, Clarenbach, Coggs, Czerwinski, DeLong, Duren, Ellis, Ferrall, Gerlach, Hauke, Johnson, Kedrowski, Lee, Lingren, Metz, Miller, Munts, Pabst, Plewa, Prosser, Radtke, Soucie, Swoboda, Tesmer, Travis, R., Ulichny, Wahner and Mr. Speaker -- 28.

Absent or not voting -- Becker and Goodrich -- 2.

Motion carried.

Representative DeLong asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Speaker Jackamonis in the chair.

Representative Metz asked unanimous consent that assembly amendment 3 to assembly substitute amendment 2 to **Assembly Bill 966** be laid on the table. Granted.

The question was: Shall assembly amendment 1 to assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 966** be adopted?

Motion carried.

Representative Stitt moved rejection of assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 966**.

The question was: Shall assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 966** be rejected?

The roll was taken.

The result follows:

Ayes -- Broydrick, Conradt, Gagin, Harer, Hopkins, Kirby, Klicka, Ladwig, Leopold, Lewison, Luckhardt, Merkt, Nelsen, Paulson, Porter, Prosser, Quackenbush, Robertson, Schmidt, Shabaz, Snyder, Stitt and Young -- 23.

Noes -- Andrea, Barczak, Barry, Behnke, Bradley, Byers, Clarenbach, Coggs, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gerlach, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Johnson, Kedrowski, Kincaid, Laatsch, Lallensack, Larson, Lee, Lingren, Loftus, McClain, McEssy, Medinger, Menos, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Plewa, Potter, Radtke, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning,

JOURNAL OF THE ASSEMBLY [January 25, 1980]

Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 71.

Absent or not voting -- Becker, Goodrich and Matty -- 3.

Motion failed.

Representative Matty asked unanimous consent to be recorded as voting "No" on the previous question. Granted.

The question was: Shall assembly amendment 4 to assembly substitute amendment 2 to **Assembly Bill 966** be adopted?

Motion carried.

Representative Metz asked unanimous consent that assembly amendment 5 to assembly substitute amendment 2 to **Assembly Bill 966** be withdrawn and returned to the authors. Granted.

Representative Metz moved rejection of assembly amendment 6 to assembly substitute amendment 2 to **Assembly Bill 966**.

Representative Ellis asked unanimous consent that **Assembly Bill 966** be laid on the table.

Representative Wahner objected.

Representative Ellis moved that **Assembly Bill 966** be laid on the table.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has passed and asks concurrence in:

Senate Bill 500

Nonconcurrent in:

Assembly amendments 3 and 4 to senate substitute amendment 1 to **Assembly Bill 8**, requests a committee of conference and appoints Senators Bablitch, Flynn and Johnston as conferees on its part.

Assembly amendments 3, 5, 6, 9 and 10 to senate substitute amendment 1 to **Assembly Bill 749**, requests a committee of conference and appoints Senators Bablitch, Flynn and Johnston as conferees on its part.

ACTION ON THE SENATE MESSAGE

Senate Bill 500

Relating to energy resources, granting rule-making authority, making appropriations and providing penalties.

By Senate Select Energy Committee.

To calendar.

Assembly Bill 8

Relating to battery to persons 62 years of age or older and providing a penalty.

By Representatives Hauke, Hephner, Murray, Behnke, Barczak, Andrea, Wood, Schneider, Dorff, Potter, Shoemaker, Everson, McClain, Rogers, Lallensack, Hasenohrl, Menos, Swoboda, Rooney, Medinger, Gerlach, Vanderperren, Becker, Tesmer, Rutkowski, Wahner, Shabaz, Goodrich, Schmidt, Snyder, Tregoning, Ellis, Opitz, Porter, Bradley, Ladwig, Klicka, Luckhardt, Thompson, DeLong, Matty, Pabst, Leopold, Merkt and Lingren, co-sponsored by Senator Kleczka.

The speaker appointed Representatives McClain, Rutkowski and Prosser as conferees on the part of the assembly.

Assembly Bill 749

Relating to revising conditions of bail.

By Representatives Rutkowski, Prosser, Jackamonis, Ferrall, Hauke, Menos, Leopold, Potter, Gerlach, Thompson, Flintrop, McClain, Omernick, Medinger, Wahner, Metz, Wagner, Ladwig, Young and Luckhardt, co-sponsored by Senators Bablitch, Radosevich and Strohl.

The speaker appointed Representatives McClain, Rutkowski and Prosser as conferees on the part of the assembly.

Representative Shabaz asked unanimous consent that **Assembly Bill 966** be laid on the table.

Representative Johnson objected.

The question was: Shall **Assembly Bill 966** be laid on the table?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Bradley, Byers, Conradt, DeLong, Donoghue, Dorff, Ellis, Fischer, Gagin, Harer, Harsdorf, Helbach, Hephner, Hopkins, Kincaid, Kirby, Klicka, Laatsch, Ladwig,

JOURNAL OF THE ASSEMBLY [January 25, 1980]

Larson, Lewison, Lingren, Luckhardt, McEssy, Matty, Menos, Merkt, Metz, Nelsen, Omernick, Paulson, Porter, Prosser, Radtke, Robertson, Rutkowski, Schmidt, Shabaz, Shoemaker, Snyder, Stitt, Tesmer, Thompson, Travis, R., Tregoning, Ulichny and Young -- 49.

Noes -- Barry, Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Dilweg, Duren, Everson, Ferrall, Flintrop, Gerlach, Hasenohrl, Hauke, Johnson, Kedrowski, Lallensack, Lee, Leopold, Loftus, McClain, Medinger, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Schneider, Smith, Soucie, Swoboda, Travis, D., Tuczynski, Vanderperren, Wagner, Wahner, Ward, Wood and Mr. Speaker -- 46.

Absent or not voting -- Becker and Goodrich -- 2.

Motion carried.

Representative Wahner asked unanimous consent that the assembly stand recessed until 1:30 P.M. Granted.

The assembly stood recessed.

11:40 A.M.

RECESS

1:40 P.M.

The assembly reconvened.

CALL OF THE ASSEMBLY

Representative Johnson demanded a call of the assembly. There were sufficient seconds.

The sergeant-at-arms was directed to close the doors and the chief clerk to call the roll.

The chief clerk called the roll.

Members absent with leave - Becker and Goodrich.

Members absent without leave - Behnke, McClain, Smith and Ward.

Representative Wahner asked unanimous consent that the call of the assembly be lifted. Granted.

Senate Bill 500

Relating to energy resources, granting rule-making authority, making appropriations and providing penalties.

Representative Wahner asked unanimous consent that **Senate Bill 500** be referred to the committee on Energy. Granted.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in as amended:

Assembly Bill 169 (senate amendments 1 and 4 adopted)

Assembly amendment 2 to **Senate Bill 509** (senate amendment 2 adopted)

Concurred in:

Assembly amendment 2 to **Senate Bill 87**

Assembly amendment 2 to **Senate Bill 345**

Assembly amendment 4 to **Senate Bill 345**

Assembly amendment 1 to **Senate Bill 509**

Nonconcurrent in:

Assembly amendment 1 to **Senate Bill 345**

ACTION ON THE SENATE MESSAGE

Assembly Bill 169

Relating to domestic abuse, creating a council on domestic abuse, creating an appropriation and providing penalties.

By Legislative Council.

To calendar.

Senate Bill 345

Relating to crime victims compensation, creating a crime victims compensation board and making appropriations.

By Senators Flynn, Moody, Braun, Risser, Bear, Berger, Adelman and Thompson; co-sponsored by Representatives Ulichny, Munts, Metz, Tuczynski, Leopold, Ferrall, Rooney, Wahner, McClain, D. Travis, Kedrowski, Smith and Lorman.

To calendar.

Senate Bill 509

Relating to taking hostages and providing a penalty.

By Senators Hanaway, Johnston, Adelman, Lasee, McCallum, Chilsen, Flynn, Berger, Cullen and Radosevich; co-sponsored by Representatives Young, Schmidt, McEssy, Medinger, Laatsch, Stitt, Nelsen, DeLong, Lingren, Klicka, Conradt and Prosser.

To calendar.

CONSIDERATION OF SENATE ACTION ON PROPOSALS
APPROVED BY THE ASSEMBLY

Assembly Bill 169

Relating to domestic abuse, creating a council on domestic abuse, creating an appropriation and providing penalties.

The question was: Shall senate amendment 1 to **Assembly Bill 169** be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Behnke, Bradley, Broydrick, Byers, Clarenbach, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 94.

Noes -- None.

Absent or not voting -- Becker, Coggs and Goodrich -- 3.

Motion carried.

Speaker pro tempore Kedrowski in the chair.

JOURNAL OF THE ASSEMBLY [January 25, 1980]

The question was: Shall senate amendment 4 to **Assembly Bill 169** be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Behnke, Bradley, Broydrick, Byers, Clarenbach, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 93.

Noes -- Thompson -- 1.

Absent or not voting -- Becker, Coggs and Goodrich -- 3.

Motion carried.

Representative Wahner asked unanimous consent that **Assembly Bill 169** be immediately messaged to the senate. Granted.

Speaker Jackamonis in the chair.

Senate Bill 345

Relating to crime victims compensation, creating a crime victims compensation board and making appropriations.

Representative Wahner moved that the assembly recede from its position on assembly amendment 1 to **Senate Bill 345**.

The question was: Shall the assembly recede from its position on assembly amendment 1 to **Senate Bill 345**?

The roll was taken.

The result follows:

Ayes -- Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Ferrall, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Johnson, Kedrowski, Kirby, Lee, Leopold, Lingren, Loftus, McClain,

JOURNAL OF THE ASSEMBLY [January 25, 1980]

Miller, Munts, Norquist, Otte, Pabst, Plewa, Potter, Rogers, Rooney, Rutkowski, Shoemaker, Smith, Soucie, Travis, D., Tuczynski, Ulichny, Vanderperren, Wahner, Ward and Mr. Speaker -- 40.

Noes -- Andrea, Barczak, Barry, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Gagin, Harer, Harsdorf, Hephner, Hopkins, Kincaid, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lewison, Luckhardt, McEssy, Matty, Medinger, Menos, Merkt, Metz, Murray, Nelsen, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Schmidt, Schneider, Shabaz, Snyder, Stitt, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Wagner, Wood and Young -- 55.

Absent or not voting -- Becker and Goodrich -- 2.

Motion failed.

Representative Wahner asked unanimous consent that **Senate Bill 345** be immediately messaged to the senate. Granted.

Senate Bill 509

Relating to taking hostages and providing a penalty.

The question was: Shall senate amendment 2 to assembly amendment 2 to **Senate Bill 509** be concurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Behnke, Bradley, Broydrick, Byers, Clarenbach, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 92.

Noes -- Cogs and Nelsen -- 2.

JOURNAL OF THE ASSEMBLY [January 25, 1980]

Absent or not voting -- Becker, Czerwinski and Goodrich -- 3.

Motion carried.

Representative Wahner asked unanimous consent that **Senate Bill 509** be immediately messaged to the senate. Granted.

Representative Ferrall moved that **Assembly Bill 966** be taken from the table.

Representative Kirby in the chair.

The question was: Shall **Assembly Bill 966** be taken from the table?

The roll was taken.

The result follows:

Ayes -- Behnke, Broydrick, Clarenbach, Coggs, Czerwinski, Duren, Everson, Ferrall, Flintrop, Gerlach, Hasenohrl, Helbach, Johnson, Kedrowski, Kirby, Lee, Lingren, Loftus, McClain, Medinger, Miller, Munts, Murray, Norquist, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Soucie, Swoboda, Travis, D., Tuczynski, Ulichny, Wagner, Wahner, Wood and Mr. Speaker -- 44.

Noes -- Andrea, Barczak, Barry, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Dorff, Ellis, Fischer, Gagin, Harer, Harsdorf, Hauke, Hephner, Hopkins, Kincaid, Klicka, Laatsch, Ladwig, Lallensack, Larson, Leopold, Lewison, Luckhardt, McEssy, Matty, Menos, Merkt, Metz, Nelsen, Omernick, Paulson, Porter, Prosser, Quackenbush, Radtke, Robertson, Schmidt, Shabaz, Snyder, Stitt, Tesmer, Thompson, Travis, R., Tregoning, Vanderperren, Ward and Young -- 51.

Absent or not voting -- Becker and Goodrich -- 2.

Motion failed.

Representative Wahner asked unanimous consent that the assembly stand informal for fifteen minutes. Granted.

2:35 P.M.

3:00 P.M.

The assembly reconvened.

Speaker pro tempore Kedrowski in the chair.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Assembly Bill 1116

Concurred in as amended:

Assembly Bill 732 (senate amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Assembly Bill 732

Relating to requiring payment of restitution as a requirement of probation.

By Representatives Jackamonis, Lingren, D. Travis, Wahner, Rutkowski, Tuczynski, Wood, Behnke, Kincaid, Becker, Andrea, Shoemaker, Potter, Klicka, Ladwig, Omernick, Plewa, Rooney, Snyder, Gerlach, Conradt, Bradley, Matty, Dorff, Duren, Schmidt, Quackenbush, Laatsch, Menos, Dilweg, Roberts, Shabaz, Lorman, Norquist, Pabst, Metz and R. Travis, co-sponsored by Senators Roshell, Berger, Moody, Cullen, Braun, Theno, Strohl and Johnston.
To calendar.

Representative Jackamonis moved nonconcurrence in senate amendment 1 to **Assembly Bill 732**.

The question was: Shall senate amendment 1 to **Assembly Bill 732** be nonconcurred in?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Behnke, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Czerwinski, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser,

JOURNAL OF THE ASSEMBLY [January 25, 1980]

Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Wood, Young and Mr. Speaker -- 94.

Noes -- Travis, D. -- 1.

Absent or not voting -- Becker and Goodrich -- 2.

Motion carried.

Representative Jackamonis asked unanimous consent that **Assembly Bill 732** be immediately messaged to the senate. Granted.

Representative Jackamonis asked unanimous consent that the assembly stand informal until 3:30 P.M. Granted.

3:10 P.M.

3:35 P.M.

The assembly reconvened.

Speaker Jackamonis in the chair.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

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

Committee of Conference report on **Assembly Bill 8**

Committee of Conference report on **Assembly Bill 749**

ACTION ON THE SENATE MESSAGE

Assembly Bill 8

Relating to battery to persons 62 years of age or older and providing a penalty.

By Representatives Hauke, Hephner, Murray, Behnke, Barczak, Andrea, Wood, Schneider, Dorff, Potter, Shoemaker, Everson, McClain, Rogers, Lallensack, Hasenohrl, Menos, Swoboda, Rooney,

JOURNAL OF THE ASSEMBLY [January 25, 1980]

Medinger, Gerlach, Vanderperren, Becker, Tesmer, Rutkowski, Wahner, Shabaz, Goodrich, Schmidt, Snyder, Tregoning, Ellis, Opitz, Porter, Bradley, Ladwig, Klicka, Luckhardt, Thompson, DeLong, Matty, Pabst, Leopold, Merkt and Lingren, co-sponsored by Senator Kleczka.

To calendar.

The question was: Shall the report of the committee of conference on **Assembly Bill 8** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Barry, Behnke, Bradley, Broydrick, Byers, Clarenbach, Czerwinski, DeLong, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kirby, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Munts, Murray, Nelsen, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Quackenbush, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Ward, Young and Mr. Speaker -- 85.

Noes -- Barczak, Coggs, Conradt, Dilweg, Klicka, Miller, Prosser and Radtke -- 8.

Absent or not voting -- Becker, Goodrich, Kincaid and Wood -- 4.

Motion carried.

Representative Radtke asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Kincaid asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Assembly Bill 749

Relating to revising conditions of bail.

By Representatives Rutkowski, Prosser, Jackamonis, Ferrall, Hauke, Menos, Leopold, Potter, Gerlach, Thompson, Flintrop, McClain, Omernick, Medinger, Wahner, Metz, Wagner, Ladwig, Young and Luckhardt, co-sponsored by Senators Bablitch, Radosevich and Strohl.

JOURNAL OF THE ASSEMBLY [January 25, 1980]

To calendar.

The question was: Shall the report of the committee of conference on Assembly **Bill 749** be adopted?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Barry, Behnke, Bradley, Broydrick, Byers, Clarenbach, Conradt, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Ferrall, Fischer, Flintrop, Gagin, Gerlach, Harer, Harsdorf, Hasenohrl, Hauke, Helbach, Hephner, Hopkins, Johnson, Kedrowski, Kincaid, Kirby, Klicka, Laatsch, Ladwig, Lallensack, Larson, Lee, Leopold, Lewison, Lingren, Loftus, Luckhardt, McClain, McEssy, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Norquist, Omernick, Otte, Pabst, Paulson, Plewa, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Shabaz, Shoemaker, Smith, Snyder, Soucie, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Wahner, Wood, Young and Mr. Speaker -- 92.

Noes -- Coggs and Ward -- 2.

Absent or not voting -- Becker, Czerwinski and Goodrich -- 3.

Motion carried.

Representative Clarenbach asked unanimous consent to be recorded as voting "No" on suspension of the rules to return Senate **Bill 344** to the amendable stage on Thursday, January 24. Granted.

Representative Wahner asked unanimous consent that the assembly stand informal for ten minutes. Granted.

3:55 P.M.

4:20 P.M.

The assembly reconvened.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has adhered to its position on:

Senate Bill 345, requests a committee of conference and appoints Senators Flynn, Adelman and Murphy as conferees on its part.

Assembly Bill 732, requests a committee of conference and appoints Senators Frank, Risser and Johnston as conferees on its part.

ACTION ON THE SENATE MESSAGE

Senate Bill 345

Relating to crime victims compensation, creating a crime victims compensation board and making appropriations.

By Senators Flynn, Moody, Braun, Risser, Bear, Berger, Adelman and Thompson; co-sponsored by Representatives Ulichny, Munts, Metz, Tuczynski, Leopold, Ferrall, Rooney, Wahner, McClain, D. Travis, Kedrowski, Smith and Lorman.

The speaker appointed Representatives McClain, Ulichny and Thompson as conferees on the part of the assembly.

Assembly Bill 732

Relating to requiring payment of restitution as a requirement of probation.

By Representatives Jackamonis, Lingren, D. Travis, Wahner, Rutkowski, Tuczynski, Wood, Behnke, Kincaid, Becker, Andrea, Shoemaker, Potter, Klicka, Ladwig, Omernick, Plewa, Rooney, Snyder, Gerlach, Conradt, Bradley, Matty, Dorff, Duren, Schmidt, Quackenbush, Laatsch, Menos, Dilweg, Roberts, Shabaz, Lorman, Norquist, Pabst, Metz and R. Travis, co-sponsored by Senators Roshell, Berger, Moody, Cullen, Braun, Theno, Strohl and Johnston.

The speaker appointed Representatives McClain, Jackamonis and Shabaz as conferees on the part of the assembly.

JOURNAL OF THE ASSEMBLY [January 25, 1980]

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Norbert Fliess, Laydene Fliess, Lucille Weis and Gilbert Weis from Union Grove, guests of Representative Wagner.

Representative Wahner moved that the assembly stand adjourned until 10:00 A.M. on Tuesday, January 29.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

4:25 P.M.