

STATE OF WISCONSIN

# Assembly Journal

September 1976 Special Session

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WEDNESDAY, September 8, 1976.

2:00 P.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Reverend Jon Schultz, pastor of Memorial United Church of Christ, 1510 Madison Street, Madison, Wisconsin.

Representative Jackamonis 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 -- Anderson L.F., Ausman, Barbee, Barczak, Behnke, Bradley, Byers, Clarenbach, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Jackamonis, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lasee, Lato, Lewis, Lewison, Lingren, Litscher, Looby, Luckhardt, McClain, McEssy, Matty, Menos, Metz, Miller, Mohn, Molinaro, Munts, Murray, Norquist, Offner, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schmidt, Schneider, Schricker, Schroeder, Shabaz, Shannon, Sicula, Snyder, Soucie, Swoboda, Tesmer, Thompson, Tregoning, Tropman, Tuczynski, Vanderperren, Wackett, Wahner, Ward, Wood and Mr. Speaker -- 96.

Absent -- None.

Absent with leave -- None.

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COMMUNICATION

State of Wisconsin  
Department of State  
Madison

To Whom It May Concern:

Dear Sir: Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill, Jt. Res. or Res.	Chapter No.	Publication date
Ass. Jt. Res. 11 -----	Enrolled 13 -----	September 7, 1976
Ass. Jt. Res. 22 -----	Enrolled 15 -----	September 7, 1976
Ass. Jt. Res. 43 -----	Enrolled 19 -----	September 7, 1976

Respectfully submitted,  
DOUGLAS LaFOLLETTE,  
Secretary of State.

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August 31, 1976

Representative Norman C. Anderson  
211 West, State Capitol  
Madison, Wisconsin

Dear Speaker Anderson:

As of September 1, 1976, I wish to resign as State Representative for the 25th Assembly District. Would you please confirm this resignation.

Sincerely yours,  
DENNIS J. CONTA  
State Representative

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SPEAKER'S APPOINTMENTS

September 1, 1976

As of this date, the following representative is appointed to the Joint Committee on Finance:

Rep. Ronald H. Lingren, Menomonee Falls (D-Dist. 97)

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to fill a vacancy created by the resignation of Dennis Conta.

**NORMAN C. ANDERSON**  
Speaker

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**EXECUTIVE COMMUNICATIONS**

**State of Wisconsin**  
**Executive Department**

**Proclamation**

I, Patrick J. Lucey, Governor of the State of Wisconsin, pursuant to Section 11 of Article IV of the Constitution of Wisconsin, do hereby require the convening of a special session of the Legislature of the State, said special session to take place at the Capitol in Madison, on the eighth day of September, A.D., 1976, at two o'clock p.m., solely for the purpose of considering and acting upon the following specific subject of legislative business, to wit:

To provide for ratification of an agreement negotiated between the State of Wisconsin and clerical members of the Wisconsin State Employees Union.

**IN TESTIMONY WHEREOF, I**  
have hereunto set my hand and  
caused the Great Seal of the State  
of Wisconsin to be affixed. Done  
at the Capitol in the City of  
Madison, this first day of  
September in the year of our Lord  
one thousand nine hundred and  
seventy-six.

**PATRICK J. LUCEY,**  
Governor.

By the Governor:

**DOUGLAS LaFOLLETTE,**  
Secretary of State.

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**Proclamation**

I, Patrick J. Lucey, Governor of the State of Wisconsin, under and by virtue of Section 11 of Article IV of the Constitution of Wisconsin, which provides that the Governor shall have power to

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convene the Legislature on extraordinary occasions, do issue this, my proclamation expanding the purposes for which the Legislature of the State shall convene at the seat of government at Madison, on the eighth day of September, A.D., 1976, at two o'clock p.m., to include, along with the consideration of the legislative business specified in my proclamation of the first day of September, A.D., 1976, the following subject of legislative business, to wit:

To provide for the suspension of certain requirements for water diversion permits for agricultural purposes.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison, this seventh day of September in the year of our Lord one thousand nine hundred and seventy-six.

**PATRICK J. LUCEY,**  
Governor.

By the Governor:

**DOUGLAS LaFOLLETTE,**  
Secretary of State.

Representative Wahner introduced a privileged resolution.

**Assembly Resolution 1, September 1976 Special Session**  
Relating to the rules of the assembly in the September 1976 special session.

By Representatives Wahner and Jackamonis.

Assembly amendment 1 to **Assembly Resolution 1, September 1976 Special Session** offered by Representative Thompson.

Representative Wahner moved rejection of assembly amendment 1 to **Assembly Resolution 1, September 1976 Special Session**.

The question was: Shall assembly amendment 1 to **Assembly Resolution 1, September 1976 Special Session** be rejected?

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The roll was taken.

The result follows:

Ayes -- Barbee, Barczak, Behnke, Clarenbach, Czerwinski, Dandeneau, Day, Dorff, Dueholm, Duren, Early, Elconin, Everson, Ferrall, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kirby, Lallensack, Lato, Lingren, Litscher, Looby, McClain, Menos, Metz, Miller, Mohn, Molinaro, Munts, Murray, Norquist, Offner, O'Malley, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider, Sricula, Soucie, Swoboda, Tesmer, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 62.

Noes -- Anderson L.F., Ausman, Bradley, Byers, Conradt, DeLong, Donoghue, Ellis, Goodrich, Gower, Gunderson, Johnston, Kincaid, Klicka, Lasee, Lewis, Lewison, Luckhardt, McEssy, Matty, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Schroeder, Shabaz, Shannon, Snyder, Thompson, Tregoning and Wackett -- 34.

Absent or not voting -- None.

Motion carried.

The question was: Shall **Assembly Resolution 1, September 1976 Special Session** be adopted?

Motion carried.

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

**Assembly Bill 1, September 1976 Special Session**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin state employe union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, covering employes in the clerical and related bargaining unit and authorizing an expenditure of funds.

By Joint Committee on Employment Relations, by request of Governor Patrick J. Lucey.

To Calendar.

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**Assembly Bill 2, September 1976 Special Session**

Relating to suspension of certain requirements for water diversion permits for agricultural purposes.

By Committee on Assembly Organization, by request of Governor Patrick J. Lucey.

To Calendar.

Representative Wahner asked unanimous consent that **Assembly Bill 1, September 1976 Special Session** be withdrawn from the calendar and taken up at this time. Granted.

**Assembly Bill 1, September 1976 Special Session**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin state employe union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, covering employes in the clerical and related bargaining unit and authorizing an expenditure of funds.

Representative Shabaz asked unanimous consent that **Assembly Bill 1, September 1976 Special Session** be referred to the joint committee on Finance.

Representative Wahner objected.

Representative Shabaz moved that **Assembly Bill 1, September 1976 Special Session** be referred to the joint committee on Finance.

The question was: Shall **Assembly Bill 1, September 1976 Special Session** be referred to the joint committee on Finance?

The roll was taken.

The result follows:

Ayes -- Ausman, Bradley, Byers, Conradt, DeLong, Donoghue, Ellis, Goodrich, Gower, Gunderson, Johnston, Klicka, Lasee, Lewis, Lewison, Luckhardt, Matty, Olson, Opitz, Porter, Quackenbush, Roth, Schmidt, Schricker, Schroeder, Shabaz, Shannon, Snyder, Thompson, Tregoning and Wackett -- 31.

Noes -- Anderson L.F., Barbee, Barczak, Behnke, Clarenbach, Czerwinski, Dandeneau, Day, Dorff, Ducholm, Duren, Early, Elconin, Everson, Ferrall, Flintrop, Gerlach, Groshek, Hanson, Hasenohrl, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lato, Lingren, Litscher, Looby, McClain, McEssy, Menos, Metz, Miller, Mohn, Molinaro, Munts, Murray, Norquist, Offner, O'Malley, Otte, Pabst, Plewa, Potter, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schneider,

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Sicula, Soucie, Swoboda, Tesmer, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 65.

Absent or not voting -- None.

Motion failed.

The question was: Shall **Assembly Bill 1**, September 1976 Special Session be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 1**, September 1976 Special Session be given a third reading.

Representative Shabaz objected.

Representative Wahner moved that the rules be suspended and that **Assembly Bill 1**, September 1976 Special Session be given a third reading.

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POINT OF ORDER

Representative Shabaz rose to the point of order that **Assembly Bill 1**, September 1976 Special Session must be referred to the joint committee on Finance.

The speaker ruled the point of order not well taken.

The question was: Shall the rules be suspended and **Assembly Bill 1**, September 1976 Special Session be given a third reading?

The roll was taken.

The result follows:

Ayes -- Anderson L.F., Ausman, Barbee, Barczak, Behnke, Bradley, Byers, Clarenbach, Conradt, Czerwinski, Dandeneau, Day, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gerlach, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lasec, Lato, Lewis, Lingren, Litscher, Looby, McClain, McEssy, Menos, Metz, Miller, Mohn, Molinaro, Munts, Murray, Norquist, Offner, O'Malley, Opitz, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Rutkowski, Sanasarian, Schmidt, Schneider, Schricker, Shannon, Sicula, Soucie, Swoboda, Tesmer, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 80.

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Noes -- DeLong, Goodrich, Johnston, Klicka, Lewison, Luckhardt, Matty, Olson, Porter, Roth, Schroeder, Shabaz, Snyder, Thompson, Tregoning and Wackett -- 16.

Absent or not voting -- None.

Motion carried.

The question was: **Assembly Bill 1**, September 1976 Special Session having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Anderson L.F., Ausman, Barbee, Barczak, Behnke, Bradley, Byers, Clarenbach, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gerlach, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lasec, Lato, Lewis, Lewison, Lingren, Litscher, Looby, McClain, McEssy, Matty, Menos, Metz, Miller, Mohn, Molinaro, Munts, Murray, Norquist, Offner, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schmidt, Schneider, Schricker, Shannon, Sicula, Soucie, Swoboda, Tesmer, Tropman, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 85.

Noes -- Goodrich, Johnston, Klicka, Luckhardt, Porter, Schroeder, Shabaz, Snyder, Thompson, Tregoning and Wackett -- 11.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 1**, September 1976 Special Session be immediately messaged to the senate. Granted.

Representative Wahner asked unanimous consent that **Assembly Bill 2**, September 1976 Special Session be withdrawn from the calendar and taken up at this time. Granted.

**Assembly Bill 2**, September 1976 Special Session

Relating to suspension of certain requirements for water diversion permits for agricultural purposes.



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Assembly amendment 1 to **Assembly Bill 2**, September 1976 Special Session offered by Representative Thompson.

Representative Wahner moved rejection of assembly amendment 1 to **Assembly Bill 2**, September 1976 Special Session:

The question was: Shall assembly amendment 1 to **Assembly Bill 2**, September 1976 Special Session be rejected?

The roll was taken.

The result follows:

Ayes -- Anderson L.F., Ausman, Barbee, Barczak, Behnke, Bradley, Byers, Clarenbach, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Elconin, Everson, Ferrall, Flintrop, Gerlach, Goodrich, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Jackamonis, Johnson, Kedrowski, Kincaid, Kirby, Lallensack, Lasee, Lato, Lewis, Lingren, Litscher, Looby, McClain, McEssy, Matty, Menos, Metz, Miller, Molinaro, Munts, Murray, Norquist, Offner, Olson, O'Malley, Otte, Pabst, Plewa, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schmidt, Schneider, Schricker, Shannon, Sicula, Snyder, Soucie, Tesmer, Tuczynski, Vanderperren, Wahner, Ward, Wood and Mr. Speaker -- 79.

Noes -- Early, Ellis, Gower, Johnston, Klicka, Lewison, Luckhardt, Mohn, Opitz, Porter, Schroeder, Shabaz, Swoboda, Thompson and Tregoning -- 15.

Absent or not voting -- Tropman and Wackett -- 2.

Motion carried.

The question was: Shall **Assembly Bill 2**, September 1976 Special Session be ordered engrossed and read a third time?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that **Assembly Bill 2**, September 1976 Special Session be given a third reading. Granted.

The question was: **Assembly Bill 2**, September 1976 Special Session having been read three times, shall the bill pass?

The roll was taken.

The result follows:

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Ayes -- Anderson L.F., Ausman, Barbee, Barczak, Behnke, Bradley, Byers, Clarenbach, Conradt, Czerwinski, Dandeneau, Day, DeLong, Donoghue, Dorff, Dueholm, Duren, Early, Elconin, Ellis, Everson, Ferrall, Flintrop, Gerlach, Goodrich, Gower, Groshek, Gunderson, Hanson, Hasenohrl, Hauke, Hephner, Jackamonis, Johnson, Johnston, Kedrowski, Kincaid, Kirby, Klicka, Lallensack, Lasee, Lato, Lewis, Lewison, Lingren, Litscher, Looby, Luckhardt, McClain, McEssy, Matty, Menos, Metz, Miller, Mohn, Molinaro, Munts, Murray, Norquist, Offner, Olson, O'Malley, Opitz, Otte, Pabst, Plewa, Porter, Potter, Quackenbush, Roberts, Rogers, Rooney, Roth, Rutkowski, Sanasarian, Schmidt, Schneider, Schricker, Schroeder, Shabaz, Shannon, Sricula, Snyder, Soucie, Swoboda, Tesmer, Thompson, Tregoning, Tropman, Tuczynski, Vanderperren, Wackett, Wahner, Wood and Mr. Speaker -- 95.

Noes -- Ward -- 1.

Absent or not voting -- None.

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 2**, September 1976 Special Session be immediately messaged to the senate. Granted.

Representative Wahner introduced a privileged resolution.

**Assembly Resolution 2**, September 1976 Special Session  
Granting the use of the assembly chambers to United Way of Dane County for a special meeting of volunteers.  
By Representative Wahner.

The question was: Shall **Assembly Resolution 2**, September 1976 Special Session be adopted?

Motion carried.

Representative O'Malley asked unanimous consent to be recorded as voting "Aye" on rejection of assembly amendment 1 to **Senate Bill 1**, June 1976 Special Session. Granted.

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

The assembly stood recessed.

3:00 P.M.

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RECESS

3:45 P.M.

The assembly reconvened.

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MESSAGE FROM THE SENATE

By Glenn E. Bultman, chief clerk.

Mr. Speaker:

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

**Senate Bill 1, September 1976 Special Session.**

Adopted and asks concurrence in:

**Senate Joint Resolution 1, September 1976 Special Session.**

Concurred in:

**Assembly Bill 1, September 1976 Special Session and  
Assembly Bill 2, September 1976 Special Session.**

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ACTION ON THE SENATE MESSAGE

**Senate Joint Resolution 1, September 1976 Special Session**

Relating to the adjournment sine die of the September 1976 special session.

By the committee on Senate Organization.

To Calendar.

**Senate Bill 1, September 1976 Special Session**

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin state employe union, AFSCME, Council 24, and its appropriate affiliated locals, AFL-CIO, covering employes in the clerical and related bargaining unit and authorizing an expenditure of funds.

By the committee on Senate Organization, by request of the Joint Committee on Employment Relations.

To Calendar.

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COMMITTEE REPORTS

The committee on Enrolled Bills reports and recommends:

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**Assembly Bill 1, September 1976 Special Session and  
Assembly Bill 2, September 1976 Special Session.**

**Correctly enrolled.**

**GERVASE A. HEPHNER**  
Chairman

The following motions under joint rule 26 were adopted pursuant to Assembly Rule 74a.

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**MOTION UNDER JOINT RULE 26**

**The State of Wisconsin \* \* \* Citation by the Legislature**

**Know you by these presents:**

**Whereas, Mr. and Mrs. Paul F. Matykowski (nee Veronica) will be celebrating their 65th wedding anniversary on September 13, 1976; and**

**Whereas, the Matykowskis' high principles of character and exemplary life style has made their home community of Crivitz proud to have them as a devoted team; and**

**Whereas, their willingness to sacrifice and their unselfishness has truly been an inspiration and shining beacon to all who have experienced the pleasure of their acquaintance; and**

**Whereas, the Matykowski family consists of 12 children (10 now living), grandchildren and 21 great-grandchildren; now, therefore,**

**The Members of the Wisconsin Legislature, on the motion of Representative Matty and Senator LaFave under Joint Rule 26, congratulate Mr. and Mrs. Paul Matykowski on the occasion of their 65th wedding anniversary and wish both of them many more happy years together.**

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**MOTION UNDER JOINT RULE 26**

**The State of Wisconsin \* \* \* Citation by the Legislature**

**Know you by these presents:**

**Whereas, Al Dietz, Rhinelander, Wisconsin, served on the Milwaukee Fire Department from 1931-1961, retiring as Captain and as Acting Battalion Chief; and**

**Whereas, Al Dietz, from 1962-72, served as Director of Emergency Government and Fire Coordinator of Oneida County, and was instrumental in starting the fire training program at Nicolet College; and**

**Whereas, Mr. Dietz, in his career, formed and trained 13 volunteer fire departments; 2 industrial fire brigades; organized the Fire Fighters Association of Oneida County; served on the Board of Directors (receiving an award as a charter member of the board); and**

**Whereas, Al Dietz served on the Rural Planning Commission; and**

**Whereas, Al Dietz, a civic-minded citizen, was active in Boy Scouts and numerous other community activities; now, therefore,**

**The Members of the Wisconsin Legislature, on the motion of Representative Donoghue and Senator Krueger under Joint Rule 26, commend Al Dietz, one of Rhinelander's outstanding citizens, for his years of exemplary service to his community and the state of Wisconsin and wish him continued success in all future endeavors.**

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**MESSAGE FROM THE SENATE**

**By Glenn E. Bultman, chief clerk.**

**Mr. Speaker:**

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

**A Joint Certificate of Congratulations by Representative Matty; co-sponsored by Senator LaFave for Mr. and Mrs. Paul F. Matykowski on their 65th wedding anniversary.**

**A Joint Certificate of Commendation by Representative Donoghue; co-sponsored by Senator Krueger for Al Dietz on his years of service to his community.**

**Adopted and asks concurrence in:**

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A Joint Certificate of Commendation by Senators Murphy and Devitt; co-sponsored by Representatives Shabaz, Snyder and Shannon for Leslie P. Rockteacher on the occasion of his retirement.

A Joint Certificate of Commendation by Senator Risser; co-sponsored by Representative N.C. Anderson for Senator Jack Schrade on the occasion of his contributions and invaluable guidance to the 3rd Annual N.L.S.S.A. Conference.

The above motions under joint rule 26 were concurred in pursuant to Assembly Rule 74a.

Representative Wahner asked unanimous consent that **Senate Joint Resolution 1, September 1976 Special Session** be withdrawn from the calendar and taken up at this time. Granted.

**Senate Joint Resolution 1, September 1976 Special Session**  
Relating to the adjournment sine die of the September 1976 special session.

The question was: Shall **Senate Joint Resolution 1, September 1976 Special Session** be concurred in?

Motion carried.

Representative Wahner asked unanimous consent that the rules be suspended and that the Assembly's action on **Senate Joint Resolution 1, September 1976 Special Session** be immediately messaged to the senate. Granted.

Due to sine die adjournment pursuant to **Senate Joint Resolution 1, September 1976 Special Session**, no further action was taken on **Senate Bill 1, September 1976 Special Session**.

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### VISITORS

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

Lloyd G. Seals from Superior, guest of Representative Murray.

George Hill from Dairyland, guest of Representative Murray.

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Representative Wahner moved that the assembly stand adjourned pursuant to **Senate Joint Resolution 1, September 1976 Special Session.**

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

3:50 P.M.