

STATE OF WISCONSIN  
**Senate Journal**  
Ninety–Sixth Regular Session

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WEDNESDAY, April 2, 2003

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The Chief Clerk makes the following entries under the above date.

**INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS**

Read first time and referred:

**Senate Bill 85**

Relating to: appointment of members of the Board of Regents of the University of Wisconsin System.

By Senators Schultz and Harsdorf; cosponsored by Representatives Kreibich, Musser, Seratti, Owens, Ladwig, Ainsworth, Albers, Gunderson, Bies, Ott, Loeffelholz, Hahn, Kestell and M. Lehman.

To committee on **Higher Education and Tourism**.

**Senate Bill 86**

Relating to: failure to pay for gasoline or diesel fuel and suspension of operating privileges after conviction for theft of gasoline or diesel fuel and providing penalties.

By Senators S. Fitzgerald, M. Meyer, Cowles, Breske, Welch, Roessler, Lazich, Kedzie, Leibham and Stepp; cosponsored by Representatives Weber, Vruwink, Montgomery, Huebsch, Gronemus, Vrakas, Freese, Ott, McCormick, J. Fitzgerald, Hahn, Nass, Townsend, Owens, Zepnick, Loeffelholz, Shilling, Towns, F. Lasee, Jeskewitz, Gunderson, Hines, Kestell, Ladwig, Suder and Lassa.

To committee on **Judiciary, Corrections and Privacy**.

**Senate Bill 87**

Relating to: limiting the authority of cities and villages to annex territory and specifying the boundaries for certain annexations.

By Senator A. Lasee; cosponsored by Representatives Ainsworth, Bies, Freese, Gronemus, Hines, Ladwig, F. Lasee, M. Lehman, Musser, Ott, Owens and Krawczyk.

To committee on **Homeland Security, Veterans and Military Affairs and Government Reform**.

**Senate Bill 88**

Relating to: extraterritorial plat approval.

By Senators A. Lasee and Breske; cosponsored by Representatives Ainsworth, Bies, Freese, Gronemus, Gunderson, Hahn, Hines, Ladwig, M. Lehman, Musser, Ott and Owens.

To committee on **Homeland Security, Veterans and Military Affairs and Government Reform**.

**Senate Bill 89**

Relating to: requiring a referendum in a town before annexation of town territory may take effect.

By Senator A. Lasee; cosponsored by Representatives Ainsworth, Bies, Freese, Gronemus, Hahn, Hines, Krawczyk, Ladwig, M. Lehman, McCormick, Musser and Owens.

To committee on **Homeland Security, Veterans and Military Affairs and Government Reform**.

**Senate Bill 90**

Relating to: establishing a publicly financed health care system for residents of this state, creating the Department of Health Planning and Finance, Health Policy Board, and regional health councils, granting rule–making authority, and making appropriations.

By Senators Carpenter and Risser; cosponsored by Representatives Miller, Young, Pocan, Berceau, Plouff and Coggs.

To committee on **Health, Children, Families, Aging and Long Term Care**.

**Senate Bill 91**

Relating to: participation in the Wisconsin Retirement System by supreme court justices, court of appeals judges, circuit judges, and state elected officials.

By Senators Reynolds and Stepp; cosponsored by Representatives Gundrum, Grothman, Ladwig and Hines.

To joint survey committee on **Retirement Systems**.

**Senate Bill 92**

Relating to: issuance of bonus deer hunting permits to certain residents who are engaged in the production of maple syrup.

By Senator Decker; cosponsored by Representatives Hahn, Huber, Ainsworth, Gronemus and Plouff.

To committee on **Environment and Natural Resources**.

**Senate Bill 93**

Relating to: crediting of certain prior service in the U.S. maritime service, including the merchant marine, for annuitants in the Wisconsin Retirement System and making an appropriation.

By Senators Erpenbach and Roessler; cosponsored by Representatives Travis, Bies, Turner, Albers and Freese.

To joint survey committee on **Retirement Systems**.

**Senate Bill 94**

Relating to: one day of rest in 7 for a person who is employed exclusively in the production of pasteurized cheese products that have expiration dates that are not less than 60 days after the date on which the products were packaged.

By Senators Hansen and Risser; cosponsored by Representatives Boyle, Berceau and J. Lehman.

To committee on **Labor, Small Business Development and Consumer Affairs.**

**Senate Bill 95**

Relating to: a fraud, waste, and mismanagement hot line at the Legislative Audit Bureau.

By Senators Hansen, Carpenter and Wirch; cosponsored by Representatives Lassa, J. Lehman, Musser, Shilling and Suder.

To committee on **Labor, Small Business Development and Consumer Affairs.**

**Senate Bill 96**

Relating to: use of moneys from the Wisconsin election campaign fund to make certain false representations.

By Senators Stepp, Leibham, A. Lasee and Brown; cosponsored by Representatives Ward, Ladwig, McCormick, Vrakas, Stone, Suder, Ainsworth, Owens, Kestell, Hahn, Freese, Bies, Hines, Albers, Kreibich and Musser.

To committee on **Education, Ethics and Elections.**

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**REPORT OF COMMITTEES**

The committee on **Judiciary, Corrections and Privacy** reports and recommends:

**Assembly Bill 59**

Relating to: name changes and names used by sex offenders and providing a penalty.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

**Assembly Bill 60**

Relating to: failing to register as a sex offender and providing a penalty.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

**Senate Bill 23**

Relating to: prisoner reimbursement to a municipality.

Passage.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

**Senate Bill 35**

Relating to: failing to register as a sex offender and providing a penalty.

Introduction and adoption of Senate Substitute Amendment 1.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, George and Carpenter.

Noes, 0 – None.

**Senate Bill 38**

Relating to: eliminating recovery for persons injured while involved in a felony.

Passage.

Ayes, 4 – Senators Zien, S. Fitzgerald, Stepp and Carpenter.

Noes, 1 – Senator George.

David Zien  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin  
Office of the Secretary of State**

To the Honorable, the Senate:

<u>Bill, Joint Reso- lution or Resolu- tion Number</u>	<u>Act Number or Enrolled Number</u>	<u>Publication Date</u>
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<b>Senate Bill 1</b>	Wisconsin Act 2	April 9, 2003
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Sincerely,  
DOUGLAS LA FOLLETTE  
Secretary of State

**State of Wisconsin  
Department of Administration**

March 20, 2003

The Honorable, The Senate:

Below is information regarding the Wisconsin Environmental Improvement Fund (EIF) Biennial Finance Plan, submitted in accordance with subsection 281.59(3)(bm) of the Wisconsin statutes. That subsection requires the Department of Natural Resources and the Department of Administration to submit to the legislature and the Building Commission any amendments to the Biennial Finance Plan which are necessary to reflect material approved by the Governor for inclusion in the biennial budget. The one amendment is as follows:

A. The Governor recommends that no additional funds be earmarked for each fiscal year of the biennium for the Land Recycling Loan Program.

After the biennial budget bill is enacted a revised version of the Biennial Finance Plan will be distributed with changes that reflect actions taken in the budget.

If you have any questions regarding the Biennial Finance Plan, please contact Kathryn A. Curtner at 266-0860 or Frank Hoadley at 266-2305.

Sincerely,

KATHRYN A. CURTNER, Director  
Bureau of Community Financial Assistance  
Department of Natural Resources

FRANK R. HOADLEY  
Capital Finance Director  
Department of Administration

**State of Wisconsin  
Building Commission**

March 28, 2003

The Honorable, The Legislature:

As required under Section 13.48(7), Wisconsin Statutes, I am submitting the Building Commission's recommended 2003-05 Building Program. The Building Commission reviewed state agency requests and adopted the recommendations contained in this document on March 19, 2003.

In summary, the recommended Building Program follows through on the department's policy guidelines by maintaining restraint on the overall level of expenditures from General Fund Supported Borrowing, emphasizing capital repair and upgrading state facilities, continuing high priority projects that will support the state's economy and limiting the impact on future operating budgets. I trust that the Legislature will agree with the results of the Commission's deliberations and will support the high priority projects the Commission has recommended for the next biennium. The staff of the Department of Administration will be available to assist you in any way possible in your review of these requests and recommendations.

Sincerely,

ROBERT G. CRAMER  
Secretary

**State of Wisconsin  
Joint Legislative Council**

March 31, 2003

The Honorable, The Senate:

I am pleased to transmit to you the following reports to the 2003 Legislature on legislation introduced by the Joint Legislative Council:

- RL2003-01 Special Committee on Review of the Open Records Law
- RL2003-03 Special Committee on Improving Wisconsin's Fiscal Management
- RL2003-06 Special Committee on Mental Health Policy
- RL2003-07 Special Committee on Review of Fireworks Law
- RL2003-09 Special Committee on Use of Prescription Drugs for Children

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available at the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at [http://www.legis.state.wi.us/lc/reports\\_by\\_topic.htm](http://www.legis.state.wi.us/lc/reports_by_topic.htm).

Sincerely,

TERRY C. ANDERSON  
Director

**State of Wisconsin  
Ethics Board**

March 25, 2003

To the Honorable the Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2001 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

Barrett, Thomas **Johnson Controls Inc**

Bergersen, Gunnar  
Blumenfeld, Michael  
Crawford, Jeff  
**Community**

Driessen, Anthony  
**Alliance by Multistate**  
Fonfara, Thomas  
**Alliance by Multistate**  
Kies, Kenyon  
Liebe, Thomas  
Lonegan, Sandra  
McIntosh, Forbes  
McNett, Michael  
**Council**

Mettner, Michelle

**Railway Progress Institute**  
**Milwaukee Jewish Federation Inc**  
**Forest County Potawatomi**  
**Long Term Care Pharmacy Associates Inc**  
**Long Term Care Pharmacy Associates Inc**  
**Wisconsin Utility Investors Inc**  
**Wisconsin EMS Association**  
**Independence First Inc**  
**Ameritech**  
**Wisconsin Education Association**

**Independence First Inc**

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,

R. ROTH JUDD  
Director

**ADVICE AND CONSENT OF THE SENATE  
State of Wisconsin  
Office of the Governor**

March 26, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SAMSON, ALLEN, of Milwaukee, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2005.

Sincerely,

JIM DOYLE  
Governor

Read and referred to committee on **Agriculture, Financial Institutions and Insurance.**

**REFERRALS AND RECEIPT OF  
COMMITTEE REPORTS CONCERNING  
PROPOSED ADMINISTRATIVE RULES**

**Senate Clearinghouse Rule 02-151**

Relating to ESEA intradistrict safe school transfer options. Submitted by Department of Public Instruction. Report received from Agency, March 28, 2003.

Referred to committee on **Education, Ethics and Elections**, April 2, 2003.

**Senate Clearinghouse Rule 03-015**

Relating to hunting and trapping regulations. Submitted by Department of Natural Resources. Report received from Agency, March 26, 2003.

Referred to committee on **Environment and Natural Resources**, April 2, 2003.

The committee on **Economic Development, Job Creation and Housing** reports and recommends:

**Senate Clearinghouse Rule 02-111**

Relating to architectural interns.

No action taken.

**Senate Clearinghouse Rule 02–127**

Relating to amusement rides and attractions.

No action taken.

Cathy Stepp  
Chairperson

The committee on **Environment and Natural Resources** reports and recommends:

**Senate Clearinghouse Rule 02–064**

Relating to citation authority for asbestos program violations.

Modifications requested, Ayes 5, Noes 0.

Ayes, 5 – Senators Kedzie, Stepp, Zien, Risser and Wirch.  
Noes, 0 – None.

Neal Kedzie  
Chairperson

**State of Wisconsin  
Revisor of Statutes Bureau**

April 1, 2003

To the Honorable, the Senate:

The following rules have been published:

<b>Clearinghouse Rules</b>	<b>Effective Date(s)</b>
<b>02–060</b>	March 1, 2003
<b>02–104</b>	March 1, 2003
<b>02–112</b>	April 1, 2003
<b>02–116</b>	April 1, 2003
<b>02–117</b>	April 1, 2003
<b>02–136</b>	April 1, 2003

Sincerely,  
GARY L. POULSON  
Deputy Revisor

**AMENDMENTS OFFERED**

Senate amendment 1 to **Assembly Bill 114** offered by Senators Decker and Breske.

**MOTIONS UNDER SENATE RULE 98 AND  
JOINT RULE 7**

*for the Month of March 2003*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Erpenbach, for Bethany Adam, on the occasion of earning and attaining the Girl Scout Gold Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Kelsey Arneson, on the occasion of her impressive perfect score on her ACT test.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Reynolds, for Daniel Arnold, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lasee, for the Wisconsin American Legion Auxiliary and the 750 citizens that will comprise Badger Girls State, on the occasion of Badger Girls State event being held the week of June 15–20, 2003.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Eddie Blumenthal, on the occasion of winning the 2003 Wisconsin Wrestling Division 1 Championship.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lasee, for Fred “Fritz” Bonde, on the occasion of his retirement from public service after serving the Township of Liberty for over 40 years.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Moore, for Willie Brent III, on the occasion of celebrating his 60th Birthday shared with family and friends.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Panzer, for Elmer Bretschneider, on the occasion of celebrating his 100th Birthday.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Schultz, for Richard “Dick” Brockman, on the occasion of his retirement after 45 years of dedicated service to publishing the Platteville Journal.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Reynolds, for Jason Buck, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lasee, for Adam John Ciske, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Salvatore A. DiStefano, on the occasion of his 33years of dedication to education and public service.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Tim Duellman, on the occasion of his accomplishments and dedicated service to his community and the Boy Scouts of Horicon, Wisconsin.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Reynolds, for Daniel Faber, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Reynolds, for Thomas Faber, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Carl Fausett, on the occasion of his leadership and dedication to Boy Scout Troop 760, Horicon, Wisconsin.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Kirstin Fosdal, on the occasion of earning and attaining the Girl Scout Gold Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Jauch, for Herbert A. Fox, Jr., on the occasion of his retirement with a career that has spanned 30 years with Murphy Oil Corporation.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Brad Gajeski, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Nate N. Gerrits, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Paul R. Gerrits, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Eric Gilbert, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Roessler, for Carolyn Grady, on the occasion of being elected and installed as the first Wisconsin women President of Business & Professional Women's Organization of the United States.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Schultz, for Richard Hale, on the occasion of his 50 years of dedicated service to the Mauston Volunteer Fire Department.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Moore, for the Hmong American Friendship Associates, on the occasion of celebrating their 20th anniversary.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Jessica Hoadley, on the occasion of earning and attaining the Girl Scout Gold Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for Laura Hoffman, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for John Ignatowski, on the occasion of celebrating his 80th Birthday shared with family and friends.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Erpenbach, for Lauren Lasseter, on the occasion of earning and attaining the Girl Scout Gold Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Hansen, for James Lewis, on the occasion of on his many years of dedicate law enforcement service to the department and Green Bay community.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Anthony T. Locke, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for Aaron Loehndorf, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Madelyn Lutz, on the occasion of earning and attaining the Girl Scout Gold Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Erpenbach, for Harvey Mandel, on the occasion of his retirement after 15 years of dedicated service to the Juda Board of Education.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Mr. Stan McCulloch and his family, on the occasion of his and his families dedication to providing moviegoers with 34 years of movies in River Falls, Wisconsin.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Dale Meinholz, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Mike Meissen, on the occasion of being named Wisconsin High School Principal of the Year by the Department of Public Instruction.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator George, for the Metropolitan Missionary Baptist Church Youth Choirs, on the occasion of celebrating their 60th anniversary.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Kelly L. Miller, on the occasion of earning and attaining the Girl Scout Gold Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Heather Olson, on the occasion of impressive perfect score on her ACT and SAT tests.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Kristin Olson, on the occasion of earning and attaining the Girl Scout Gold Award.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Schultz, for the Pine Valley Healthcare and Rehabilitation Center, staff and administrators, on the occasion of celebrating their 125th anniversary.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Mr. Marshall Quilling, on the occasion of his retirement and his 31 years of dedicated service to the Menomonie School Board.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Breske, for the Rhinelander High School Mock Trial Team, on the occasion of winning the 2003 State Mock Trial Competition.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Breske, for the Rhinelander High School Nordic Ski Team, on the occasion of their victory at the 2003 Wisconsin State Nordic Skiing Championship.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Reynolds, for Joseph Rieland, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for James V. Santilli III, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Nicholas S. Santilli, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Breske, for Jordan R. Schultz, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Harsdorf, for Mr. Aaron Sigsworth, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Daniel Suhr, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Erpenbach, for Lee Swanson, on the occasion of his retirement from the State Bank of Cross Plains.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lasee, for Jennifer Trzebiatowski, on the occasion of receiving the Prudential Spirit of Community Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Panzer, for Joshua Uelmen, on the occasion of earning and attaining the rank of the Eagle Scout Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Kristine Valdovinos, on the occasion of earning and attaining the Girl Scout Gold Award.*

*A certificate of commendation by the Wisconsin Legislature on the motion of Senator Erpenbach, for Kathleen Venn, on the occasion of earning and attaining the Girl Scout Gold Award.*

*A certificate of congratulations by the Wisconsin Senate on the motion of Senator Chvala, for Heather R. Vogts, on the occasion of earning and attaining the Girl Scout Gold Award.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Kanavas, for Jane E. Weston, on the occasion of her nine years of service to the Elmbrook School District.*

*A certificate of commendation by the Wisconsin Senate on the motion of Senator Decker, for Sheriff Donald L. Wright, on the occasion of his retirement and 32 years of dedicated service to the Taylor County Sheriff's Department.*