



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Second Regular Session

10:00 A.M.

THURSDAY, May 25, 1995

The Senate met.

The Senate was called to order by Senator Brian Rude, President of the Senate.

The Chair, with unanimous consent, asked that the proper entries be made in the journal.

### REPORT OF COMMITTEES

The committee on **Judiciary** reports and recommends:

#### Senate Bill 209

Relating to: staying the execution or enforcement of an order changing the placement of a child pending final resolution of an appeal of that order.

Introduction of Senate substitute amendment 1.

Ayes, 6 – Senators Huelsman, Petak, Drzewiecki, Darling, Adelman and Burke.

Noes, 1 – Senator Risser.

Senate substitute amendment 1 adoption.

Ayes, 4 – Senators Huelsman, Petak, Drzewiecki and Darling.

Noes, 3 – Senators Risser, Adelman and Burke.

Passage as amended.

Ayes, 4 – Senators Huelsman, Petak, Drzewiecki and Darling.

Noes, 3 – Senators Risser, Adelman and Burke.

#### Senate Bill 80

Relating to: sexual assault, crimes against children and providing penalties.

Introduction of Senate substitute amendment 1.

Ayes, 6 – Senators Huelsman, Petak, Drzewiecki, Darling, Adelman and Burke.

Noes, 1 – Senator Risser.

Introduction and adoption of Senate amendment 1 to Senate substitute amendment 1.

Ayes, 7 – Senators Huelsman, Petak, Drzewiecki, Darling, Risser, Adelman and Burke.

Noes, 0 – None.

Senate substitute amendment 1 adoption.

Ayes, 7 – Senators Huelsman, Petak, Drzewiecki, Darling, Risser, Adelman and Burke.

Noes, 0 – None.

Passage as amended.

Ayes, 7 – Senators Huelsman, Petak, Drzewiecki, Darling, Risser, Adelman and Burke.

Noes, 0 – None.

Joanne Huelsman  
Chairperson

The committee on **Transportation, Agriculture and Local Affairs** reports and recommends:

#### Assembly Bill 175

Relating to: the recording of mortgages with a register of deeds.

Concurrence.

Ayes, 5 – Senators A. Lasee, Drzewiecki, Zien, Andrea and Clausing.

Noes, 0 – None.

#### Assembly Bill 241

Relating to: permitting exchange of certain confidential client information among subunits of the same county departments of social services and developmental disabilities services and expanding the exchange of certain confidential client information among subunits of county departments of human services and community programs.

Concurrence.

Ayes, 4 – Senators A. Lasee, Zien, Andrea and Clausing.  
Noes, 1 – Senator Drzewiecki.

Alan Lasee  
Chairperson

### PETITIONS AND COMMUNICATIONS

#### State of Wisconsin Department of Administration

May 22, 1995

The Honorable, The Legislature:

In accordance with s. 16.31, Wisc. Stats., the 1995 Wisconsin Consolidated Housing Plan has been submitted to Governor Tommy G. Thompson.

Attached is a copy of the State of Wisconsin Consolidated Housing Plan which is required by the United States Department of Housing and Urban Development as well as by Wisc. Stats. 16.31.

If you have any questions, please don't hesitate to contact me at 267-4889.

Sincerely,

LEE MARTINSON  
Administrator  
Division of Housing

#### State of Wisconsin Legislative Audit Bureau

May 24, 1995

The Honorable, The Legislature:

At the request of members of the Joint Legislative Audit Committee, we have reviewed the circumstances surrounding the State Investment Board's December 16, 1994 letter to Mr. John Brogan, Chairman of the Bank of Kaukauna, regarding

statements he allegedly made concerning the State Investment Fund. Although Investment Board staff believed they had good cause for concern that statements allegedly made by Mr. Brogan in December could harm investors in the Fund, we believe that they acted too hastily, without sufficient effort to confirm either the statements or the actual effect such statements were having on the Fund. In addition, the Investment Board did not obtain appropriate authorization from the Attorney General before retaining special counsel. Finally, the tone and content of the letter to Mr. Brogan were inappropriate.

In completing our review, we interviewed Investment Board trustees and staff, Mr. Brogan, and the Attorney General; examined Investment Board and Office of the State Treasurer records; and reviewed Board minutes and correspondence.

We conclude the letter to Mr. Brogan was an overreaction by Investment Board staff that occurred in the period of heightened concern created by the Orange County, California bankruptcy. We believe that in the future, if concerns related to a possible run on the Fund arise, Investment Board staff should, first, take no action without obtaining sufficient information to determine that a threat to the Fund actually exists. Second, staff should inform the Board of staff concerns so that appropriate action can be discussed. Third, the Investment Board should not threaten litigation without consultation with the Attorney General. The Board has agreed that no such action will be taken in the future without the approval of the Attorney General.

If you have additional questions regarding this matter, please contact me.

Sincerely,

DALE CATTANACH  
State Auditor

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

**Senate Clearinghouse Rule 94-160**

Relating to compensation and conditions for the placement of utility facilities in railroad right-of-way.

Submitted by Public Service Commission.

Report received from Agency, May 23, 1995.

Referred to committee on **Environment and Energy**, May 25, 1995.

**Senate Clearinghouse Rule 95-032**

Relating to district reporting of attendance and other participation in technical college courses or programs by secondary school students under the Wisconsin statutory provisions Relating to compulsory school attendance, post-secondary enrollment options and technical preparation programs.

Submitted by Technical College System Board.

Report received from Agency, May 25, 1995.

Referred to committee on **Education and Financial Institutions**, May 25, 1995.

**Senate Clearinghouse Rule 95-042**

Relating to reporting the discharge of firearms.

Submitted by Department of Regulation and Licensing.

Report received from Agency, May 23, 1995.

Referred to committee on **Business, Economic Development and Urban Affairs**, May 25, 1995.

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**MESSAGES FROM THE ASSEMBLY**

By Charles Sanders, chief clerk.

Mr. President:

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

**Assembly Bill 130**

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**MESSAGES FROM THE ASSEMBLY  
CONSIDERED**

**Assembly Bill 130**

Relating to: creating a juvenile justice code, granting rule-making authority, making appropriations and providing penalties.

By Representatives Ladwig, Krug, Gunderson, Prosser, Dobyns, Goetsch, Huebsch, Seratti, Nass, Grothman, Walker, Green, Handrick, Zukowski, Kreibich, Owens, Gard, Underheim, Lehman, Musser, Duff, Hahn, Silbaugh, Brancel, F. Lasee, Ainsworth, Vrakas, Ourada, Foti, Coleman, Powers, Klusman, Ott, Johnsrud, Brandemuehl, Kaufert, Freese, Porter, Urban, Olsen, Jensen, Otte, Schneiders, Harsdorf, Ward, Lazich, Skindrud, Kelso, Hutchison, Hoven, Lorge, Murat, Ziegelbauer, Ryba, Plache, Baumgart, Krusick, Robson, Vander Loop, Linton, Meyer, Reynolds, La Fave, Boyle, Kreuser, Grobschmidt, Carpenter and Notestein; cosponsored by Senators Panzer, C. Potter, Huelsman, Petak, Drzewiecki, Rude, Weeden, Farrow, Rosenzweig, Buettner, Fitzgerald, Schultz, Andrea, Breske and Clausing.

Read first time and referred to committee on **Judiciary**.

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**ADJOURNMENT**

Senator Rude, with unanimous consent, asked that the Senate adjourn until Tuesday, May 30 at 10:00 A.M..

Adjourned.

10:01 A.M.