



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

FRIDAY, June 23, 2006

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 05–114

Relating to separate retirement system investments in the fixed and variable retirement investment trusts.

Submitted by Department of Employee Trust Funds.

Report received from Agency, June 7, 2006.

To committee on **Labor**.

Referred on June 16, 2006.

Assembly Clearinghouse Rule 06–021

Relating to protecting public health by regulating the sources and use of ionizing radiation, and affecting small businesses.

Submitted by Department of Health and Family Services.

Report received from Agency, June 14, 2006.

To committee on **Public Health**.

Referred on June 23, 2006.

Assembly Clearinghouse Rule 06–030

Relating to liquor wholesaler warehouse facilities.

Submitted by Department of Revenue.

Report received from Agency, June 19, 2006.

To committee on **State Affairs**.

Referred on June 23, 2006.

Assembly Clearinghouse Rule 06–043

Relating to motor carrier safety.

Submitted by Department of Transportation.

Report received from Agency, June 15, 2006.

To committee on **Highway Safety**.

Referred on June 23, 2006.

Assembly Clearinghouse Rule 06–045

Relating to collection agencies.

Submitted by Department of Financial Institutions.

Report received from Agency, June 22, 2006.

To committee on **Financial Institutions**.

Referred on June 23, 2006.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 1226

Relating to: reporting of certain information concerning individual contributions received on campaign finance reports.

By joint committee for review of Administrative Rules.

To committee on **Campaigns and Elections**.

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Natural Resources
Madison

June 21, 2006

To the Honorable, the Legislature:

As directed by s. 29.889(11), Stats., the Department of Natural Resources has prepared a report to the Legislature regarding the Wildlife Damage Abatement and Claims Program for the 2005 program year, ending December 31, 2005. Said statute directs distribution to “appropriate standing committees of the legislature in the manner provided under s. 13.172(3), Stats”. In compliance with these requirements, and because you are more apt to determine “appropriate standing committees”, I am submitting this report to you, the Chief Clerks of the Senate and Assembly, for distribution.

Thank you for your assistance.

Sincerely,
SCOTT HASSETT
Secretary

Referred to committee on **Natural Resources**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

June 16, 2006

To the Honorable, the Assembly:

As requested by the Joint Legislative Audit Committee, we have completed an evaluation of the two applied technology centers constructed by Gateway Technical College: the Center for Advanced Technology and Innovation (CATI), and the Center for Bioscience and the Integration of Computer and Telecommunications Technology (BioCATT). These centers were constructed at a cost of \$7.4 million. Construction funds were obtained from \$5.0 million in bonds issued by Gateway, along with both cash and in-kind donations from area businesses.

Technical college construction projects of more than \$1.0 million must typically be approved by referendum, but a statutory exception exists for technology centers. However, statutes require at least 30.0 percent of construction costs to be funded with private contributions. This statutory requirement was not met because the value of in-kind contributions has been less than initially projected, and private businesses provided \$414,000 less than anticipated in cash donations.

Gateway's governing board chose to contract with two private, nonprofit corporations to manage daily operations of the two centers and provide other services. Contract agreements involving staffing, building maintenance and use, and programming are complex and have been amended frequently. Since the centers opened, Gateway has spent \$2.3 million to support facility operations but has received operating revenues of only \$106,800. The difference—\$2.2 million—has been paid from Gateway funds. Gateway is also expected to incur \$1.1 million in bond repayment costs through fiscal year 2005-06. The level of support provided suggests that Gateway should closely monitor the centers' ongoing operations to ensure costs are controlled and revenues maximized.

We reviewed detailed financial documentation and found no instances in which funds from Gateway or either of the nonprofit organizations were improperly paid to an employee of any other organization. However, we question Gateway's decision to enter into a contract with the private organization managing the BioCATT facility for use of four fiber-optic lines. One objective of the agreement was to reduce Gateway's telecommunications costs. However, this contract has not been cost-effective in the short-term. Future financial benefits will largely depend on the ability of BioCATT, Inc., to sell use of additional fiber optic lines.

We appreciate the courtesy and cooperation extended to us by staff of Gateway Technical College, the Wisconsin Technical

College System Board, and the nonprofit organizations associated with the applied technology centers.

Sincerely,
JANICE MUELLER
State Auditor

State of Wisconsin
Legislative Audit Bureau
Madison

June 22, 2006

To the Honorable, the Assembly:

At your request, we have completed a review of the number of Wisconsin Technical College System (WTCS) employees convicted of felonies. It is part of a comprehensive evaluation of WTCS personnel policies and practices approved by the Joint Legislative Audit Committee, which will be completed later this year.

Using Department of Corrections felony data and WTCS payroll data from March 2006, we identified 15 WTCS employees who were felons under state supervision.

Section [111.321](#), Wis. Stats., generally prohibits employment discrimination on the basis of arrest or conviction record, but under [s. 111.335\(1\)\(c\)](#), Wis. Stats., employment can be terminated when a conviction is substantially related to the circumstance of an individual's job. The decision to terminate is typically determined by an internal investigation. Because technical colleges were unaware of some of the felons, we have recommended that they conduct internal investigations to determine whether any of the convictions we identified are substantially job-related and whether any job action is appropriate.

We found that 8 of the 16 technical colleges had not developed policies or procedures for dealing with such situations, including policies related to terminating the employment of individuals when appropriate. We include a recommendation that technical college district boards establish policies and procedures for employee discipline and termination.

Finally, we found variation in how technical colleges conduct background checks of candidates for employment. We have recommended that the WTCS Board identify the types of jobs for which background checks should be conducted and require the technical college district boards to promulgate applicable policies.

We appreciate the courtesy and cooperation of the 16 technical colleges and WTCS Board staff in completing this review.

Sincerely,
JANICE MUELLER
State Auditor