



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

WEDNESDAY, June 30, 2004

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

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 03-054

Relating to the Lower St. Croix Scenic Riverway.
Submitted by Department of Natural Resources.
Report received from Agency, June 30, 2004.
To committee on **Natural Resources**.
Referred on June 30, 2004.

Assembly Clearinghouse Rule 03-097

Relating to exiting small dwellings and rail spindle spacing.
Submitted by Department of Commerce.
Report received from Agency, June 21, 2004.
To committee on **Housing**.
Referred on June 30, 2004.

Assembly Clearinghouse Rule 03-121

Relating to animal health and captive wildlife.
Submitted by Department of Agriculture, Trade and Consumer Protection.
Report received from Agency, June 28, 2004.
To committee on **Natural Resources**.
Referred on June 30, 2004.

Assembly Clearinghouse Rule 04-005

Relating to technical changes to current rules, including current rules related to Johne's disease test cost reimbursement, commercial feed, dairy farms, dairy plants, weights and measures, direct marketing, and the farm mediation and arbitration program.
Submitted by Department of Agriculture, Trade and Consumer Protection.
Report received from Agency, June 29, 2004.
To committee on **Agriculture**.
Referred on June 30, 2004.

Assembly Clearinghouse Rule 04-030

Relating to the agricultural producer security program.
Submitted by Department of Agriculture, Trade and Consumer Protection.
Report received from Agency, June 28, 2004.

To committee on **Agriculture**.
Referred on June 30, 2004.

Assembly Clearinghouse Rule 04-037

Relating to the administration of the registered nurse education stipend program.
Submitted by Department of Veterans Affairs.
Report received from Agency, June 28, 2004.
To committee on **Veterans and Military Affairs**.
Referred on June 30, 2004.

Assembly Clearinghouse Rule 04-046

Relating to hunting and trapping.
Submitted by Department of Natural Resources.
Report received from Agency, June 30, 2004.
To committee on **Natural Resources**.
Referred on June 30, 2004.

COMMUNICATIONS

State of Wisconsin
Office of the Secretary of State
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Jt. Res. Number</u>	<u>Enrolled Number</u>	<u>Publication Date</u>
Assembly Joint Res. 34	.. 38	Not published
Assembly Joint Res. 36	.. 39	Not published
Assembly Joint Res. 46	.. 40	Not published
Assembly Joint Res. 49	.. 41	Not published
Assembly Joint Res. 57	.. 42	Not published
Assembly Joint Res. 68	.. 43	Not published
Assembly Joint Res. 72	.. 44	Not published
Assembly Joint Res. 79	.. 45	Not published
Assembly Joint Res. 80	.. 46	Not published
Assembly Joint Res. 81	.. 47	Not published
Assembly Joint Res. 82	.. 48	Not published
Assembly Joint Res. 83	.. 49	Not published
Assembly Joint Res. 84	.. 50	Not published
Assembly Joint Res. 85	.. 51	Not published
Assembly Joint Res. 86	.. 52	Not published

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

REFERRAL OF AGENCY REPORTS

June 21, 2004

Speaker John Gard
State Capitol, 211 West
Madison, WI 53708

Dear Speaker Gard:

I respectfully request the temporary appointment of Representative Louis Molepske Jr. to the Joint Committee for Review of Administrative Rules for the committee's meeting in Minocqua on Thursday, June 24. Representative Spencer Black is unable to attend.

Thank you for your attention to this request. Please feel free to contact me if you have any concerns or questions.

Sincerely,
JIM KREUSER
Assembly Democratic Leader

SPEAKER'S APPOINTMENTS

June 21, 2004

Representative Jim Kreuser
Assembly Minority Leader
Room 201 West, State Capitol
Madison, Wisconsin

Dear Representative Kreuser:

I have approved your request to allow Representative Louis Molepske Jr. to temporarily replace Representative Spencer Black on the Joint Committee for Review of Administrative Rules. This replacement is applicable only to the committee's meeting on June 24, 2004 in Minocqua, Wisconsin.

Sincerely,
JOHN G. GARD
Speaker

June 17, 2004

Mr. Patrick Fuller, Chief Clerk
Wisconsin State Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Assembly Rule [9 \(2\)\(a\)](#) and Wis. Stat. Section [13.48 \(2\)](#), I have appointed Representative Fitzgerald to the Building Commission and removed Representative Mike Huebsch.

Sincerely,
JOHN G. GARD
Speaker

State of Wisconsin
Department of Natural Resources
Madison

June 8, 2004

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 2003 program year, ending December 31, 2003. 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 the both of you are more apt to determine "appropriate standing committees", I am submitting this report to you, the Chief Clerks of the Assembly and Senate, for distribution.

Thank you for your assistance

Sincerely,
SCOTT HASSETT
Secretary

Referred to committee on **Natural Resources.**

State of Wisconsin
Department of Regulation and Licensing
Madison

June 18, 2004

To the Honorable, the Legislature:

Pursuant to Wisconsin Statutes s. [440.979](#), the Wisconsin Department of Regulation and Licensing submits its fifth annual report concerning the regulation of Home Inspectors in Wisconsin.

I am happy to answer any questions you may have concerning the contents.

Please contact me if additional information is needed.

Sincerely,
DONSIA STRONG HILL
Secretary

Referred to committee on **Housing.**

State of Wisconsin
Department of Natural Resources
Madison

June 28, 2004

To the Honorable, the Assembly:

This report is being submitted in accordance with Section [23.0955\(2\)](#), Wisconsin Statutes, which requires the Department to report on and evaluate accomplishments and activities resulting from a capacity building grant awarded

annually to a nonprofit organization. The legislation also requires that we make a recommendation regarding continuation of the grant.

The purpose of the grant is to support nonprofit conservation organizations. It has been awarded annually to Gathering Waters Conservancy. As the report shows, Gathering Waters has used the funds to expand private resource conservation in Wisconsin. The grant has been an excellent investment that will have a positive long-term impact on the state's natural resources. For this reason, we are pleased to recommend continuation of the grant at the current level of \$150,000 per year.

If you need additional information, please contact Janet Beach Hanson at (608) 266-0868. She can answer any specific questions you have about the grant.

Sincerely,
SCOTT HASSETT
Secretary

Referred to committee on **Natural Resources**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

June 22, 2004

To the Honorable, the Legislature:

We are required by s. 13.94 (1)(dm), Wis. Stats., to conduct an annual financial audit of State Fair Park. In 2003 (report 03-11), we were unable to render an audit opinion because State Fair Park could not provide complete and accurate financial statements for fiscal year (FY) 2001-02. State Fair Park later contracted with a private accounting firm to compile its financial statements for both FY 2001-02 and FY 2002-03. We have issued unqualified audit opinions for each year, and FY 2002-03 statements are included in this report. We also followed up on our 2003 recommendations regarding improvements to State Fair Park's financial operations.

In our 2003 report, we found that State Fair Park's financial condition continued to deteriorate through FY 2002-03, when total expenses, including a required \$2.4 million lapse to the State's General Fund, exceeded revenues by \$4.5 million. Our 2003 report also noted that poor business planning and overly optimistic financial projections for three fairgrounds activities or entities – the Milwaukee Mile, the new Wisconsin Exposition Center, and the Pettit National Ice Center – contributed to State Fair Park's FY 2002-03 deficit. As we recommended, all three entities subsequently prepared business plans for 2004.

Considering these business plans, State Fair Park projects that in FY 2003-04, overall revenues will exceed expenses by nearly \$195,000. However, through May 2004, total expenses exceeded revenues by \$2.1 million. State Fair Park anticipates that additional revenue related to the August 2004

State Fair and two major racing events will be received in the last month of FY 2003-04. Its financial projections for FY 2003-04 also rely on a strong performance by the Milwaukee Mile, reduced losses from non-fair events, and significant revenues from sponsorships and naming rights. As State Fair Park moves forward, we believe initial 2004 business plans will need to be refined and modified to ensure financial projections are reasonable and that staffing issues for all entities are efficiently addressed.

We appreciate the courtesy and cooperation extended to us by the staff of State Fair Park. A response from State Fair Park's chief executive officer follows the appendix.

Respectfully submitted,
JANICE MUELLER
State Auditor

State of Wisconsin
Legislative Audit Bureau
Madison

June 29, 2004

To the Honorable, the Legislature:

We have completed an evaluation of restorative justice programs in Milwaukee and Outagamie counties, as required by [2001 Wisconsin Act 16](#). Two assistant district attorney positions created by Act 16 serve as restorative justice coordinators in the two counties. In fiscal year (FY) 2002-03, \$100,600 in state and federal funding was spent on these programs.

The two counties' restorative justice programs achieved modest success through 2003. For example, the number of participating offenders increased from 461 in 2002 to 520 in 2003. In addition, encouraging results related to recidivism were reported for some of the programs. We independently calculated recidivism rates for one Milwaukee County program and found that 8.8 percent of participating offenders with no prior convictions committed another criminal offense within one year of participation, compared to 27.6 percent of nonparticipating offenders in a control group. We noted concerns with Outagamie County's calculations of recidivism rates, and we could not independently calculate the rates for its programs.

Act 16 stipulated that funding for the two restorative justice coordinator positions will end with FY 2004-05. We noted, however, that at least 11 other counties have restorative justice programs that are funded differently from those in Milwaukee and Outagamie counties. We provide funding alternatives for consideration, should the Legislature wish to consider the future of the positions in its 2005-07 biennial budget deliberations.

We appreciate the courtesy and cooperation extended to us by the Milwaukee and Outagamie County district attorneys' offices. Their responses follow the appendix.

Respectfully submitted,
JANICE MUELLER
State Auditor