



STATE OF WISCONSIN Assembly Journal

Ninety-Ninth Regular Session

4:10 P.M.

TUESDAY, June 30, 2009

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Soletski in the chair.

The Assembly dispensed with the call of the roll.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 09-021

Relating to the assessment of forfeitures for POWTS governmental unit employees.

Submitted by Department of Commerce.

Report received from Agency, June 16, 2009.

To committee on **Natural Resources**.

Referred on June 30, 2009.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 63

Relating to: excluding incarcerated, disenfranchised felons from the enumeration of population for apportionment and redistricting of legislative, county, and certain other district offices (first consideration).

By Representatives Kessler, Black, Grigsby, Turner and A. Williams; cosponsored by Senator Taylor.

To committee on **State Affairs and Homeland Security**.

Assembly Bill 333

Relating to: limiting disclosure of information gathered by news persons.

By Representatives Parisi, Pasch, Berceau, Hixson, Zigmunt, Jorgensen, Turner, Molepske Jr., Benedict, Sinicki, Pocan and Grigsby; cosponsored by Senators Kreitlow, Holperin, Hansen, Schultz, Lehman, Cowles and Risser.

To committee on **Judiciary and Ethics**.

Assembly Bill 334

Relating to: creating an individual income tax checkoff for the Special Olympics Wisconsin, Inc., and making an appropriation.

By Representatives Nygren, Suder, Berceau, A. Ott and Spanbauer; cosponsored by Senators Coggs, Schultz and Kedzie.

To committee on **State Affairs and Homeland Security**.

Assembly Bill 335

Relating to: the consumption of alcohol beverages in public places.

By Representatives Lothian, Mursau, Spanbauer and Townsend; cosponsored by Senators Kedzie and Taylor.

To committee on **Colleges and Universities**.

Assembly Bill 336

Relating to: immunity from liability for, and disclosure of patient information by, a health care provider, health care facility, or employee of a health care provider or health care facility that, in good faith, reports or provides information about a violation of the law or of a clinical or ethical standard, unprofessional conduct, or negligence in treating a patient by a health care provider, health care facility, or employee or former employee of a health care provider or health care facility.

By Representatives Pridemore, Brooks, Gunderson and Townsend; cosponsored by Senators Schultz and Lassa.

To committee on **Judiciary and Ethics**.

Assembly Bill 337

Relating to: payment of employee required contributions under the Wisconsin Retirement System.

By Representatives Gottlieb, Strachota, Knodl, Brooks, Honadel, Kestell, LeMahieu, Montgomery, A. Ott, J. Ott, Spanbauer, Townsend, Vos and Zipperer; cosponsored by Senators Lazich, Cowles, Darling, Leibham and Taylor.

To committee on **Urban and Local Affairs**.

COMMITTEE REPORTS

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

Assembly Bill 166

Relating to: the use of pesticides by veterinarians and veterinary technicians.

Passage:

Ayes: 11 – Representatives Vruwink, Radcliffe, Garthwaite, Jorgensen, Molepske Jr., Danou, A. Ott, Nerison, Murtha, Tauchen and Brooks.

Noes: 0.

To committee on **Rules**.

Assembly Bill 229

Relating to: the sale of home-canned food.

Passage:

Ayes: 9 – Representatives Radcliffe, Garthwaite, Jorgensen, Molepske Jr., Danou, Nerison, Murtha, Tauchen and Brooks.

Noes: 2 – Representatives Vruwink and A. Ott.

To committee on **Rules**.

AMY SUE VRUWINK
Chairperson
Committee on Agriculture

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

Senate Bill 107

Relating to: the sale, disposal, collection, and recycling of electronic devices, granting rule-making authority, making an appropriation, and providing penalties.

Concurrence:

Ayes: 9 – Representatives Black, Danou, Molepske Jr., Steinbrink, Hraychuck, Hebl, Mason, Milroy and Clark.

Noes: 6 – Representatives J. Ott, Gunderson, Huebsch, LeMahieu, Mursau and Nerison.

To committee on **Rules**.

SPENCER BLACK
Chairperson
Committee on Natural Resources

The committee on **Public Safety** reports and recommends:

Assembly Bill 283

Relating to: operating a vehicle while intoxicated, granting rule-making authority, making an appropriation, and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 7 – Representatives Staskunas, Ziegelbauer, Cullen, Berceau, Bies, A. Ott and Nerison.

Noes: 0.

Passage as amended:

Ayes: 7 – Representatives Staskunas, Ziegelbauer, Cullen, Berceau, Bies, A. Ott and Nerison.

Noes: 0.

To committee on **Rules**.

ANTHONY STASKUNAS
Chairperson
Committee on Public Safety

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Southeast Wisconsin Professional
Baseball Park District
Milwaukee

June 19, 2009

To the Honorable, the Legislature:

On behalf of the Board of Directors of the Southeast Wisconsin Professional Baseball Park District, we are pleased to submit the District's Financial Statements-Independent Auditor's Report for Year Ended December 31, 2008 (approved at the meeting of the Board of Directors on June 9, 2009) for your review and use. A copy can also be found on the District's website, www.millerparkdistrict.com.

The above report indicates that the Southeast Wisconsin Professional Baseball Park District Board of Directors has consistently protected the taxpayers of the five-county District, and continues to do so. As you review the enclosed report, please note that for the thirteenth consecutive year, the Southeast Wisconsin Professional Baseball Park District has received a "clean opinion" from independent financial auditors, BDO Seidman, LLP. In this year's audit, dated April 26, 2007, BDO Seidman states, "In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the District, as of December 31, 2008, and the changes in its financial position, for the year then ended in conformity with accounting principles generally accepted in the United States of America."

Thank you for your assistance and cooperation. Please feel free to contact me if you should have any questions or should you desire more information.

Very truly yours,
MICHAEL R. DUCKETT, P.E., R.L.S
Executive Director

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

June 19, 2009

To the Honorable, the Assembly:

As required by s. 13.94 (1)(dm), Wis. Stats., we have completed our annual financial audit of State Fair Park. We have issued an unqualified opinion on State Fair Park's fiscal year (FY) 2007-08 financial statements. In addition, we have continued to monitor its financial condition and efforts to improve its financial performance.

In FY 2007-08, State Fair Park's revenue exceeded expenditures by \$1.1 million on a cash basis. As a result, State Fair Park was able to reduce its accumulated cash deficit to \$8.6 million. The decision to sell the Pettit National Ice Center in 2007 and to license management of the Milwaukee Mile racetrack to a private promoter in 2006 helped State Fair Park

achieve positive results in FY 2007-08. However, significant changes at the Milwaukee Mile will adversely affect revenues in FY 2008-09 and beyond. In February 2009, State Fair Park terminated its agreement with Milwaukee Mile Holdings LLC and entered into a license agreement with a new promoter at a significantly reduced license fee. State Fair Park is also involved in a dispute regarding \$2.7 million in license fees that it believes is owed by Milwaukee Mile Holdings under the terms of the license agreement. At this point, it appears litigation may be necessary to resolve the dispute.

As part of our audit, we followed up on conflict-of-interest concerns related to the management of State Fair Park's Agriculture Department that were raised in a prior audit. The State Fair Park Board has implemented a number of new policies and procedures to address the concerns, but it will be important for it to ensure they are fully implemented and working as intended. Finally, we note financial reporting concerns that are discussed in the Report on Control and Compliance included in this report.

We appreciate the courtesy and cooperation extended to us by staff of State Fair Park. A response from State Fair Park's Interim Executive Director follows the appendices.

Sincerely,
JANICE MUELLER
State Auditor

ADJOURNMENT

Representative Pope–Roberts moved that the Assembly stand adjourned pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

4:11 P.M.