



# STATE OF WISCONSIN Assembly Journal

## Ninety-Ninth Regular Session

MONDAY, June 28, 2010

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

### ADMINISTRATIVE RULES

#### Assembly Clearinghouse Rule 09-084

Relating to establishing a temporary, nonrenewable waiver from the requirement that a teacher have a bachelor's degree in order to teach in a private school under the Milwaukee parental choice program.

Submitted by Department of Public Instruction.

Report received from Agency, June 9, 2010.

To committee on **Education**.

Referred on June 16, 2010.

#### Assembly Clearinghouse Rule 10-016

Relating to the identification, classification, and control of invasive species and affecting small business.

Submitted by Department of Natural Resources.

Report received from Agency, June 7, 2010.

To committee on **Natural Resources**.

Referred on June 16, 2010.

#### Assembly Clearinghouse Rule 10-017

Relating to unemployment insurance rules for determining a claimant's ability to work and availability for work and affecting small businesses.

Submitted by Department of Workforce Development.

Report received from Agency, June 15, 2010.

To committee on **Labor**.

Referred on June 21, 2010.

#### Assembly Clearinghouse Rule 10-018

Relating to unemployment benefit claiming procedures.

Submitted by Department of Workforce Development.

Report received from Agency, June 15, 2010.

To committee on **Labor**.

Referred on June 21, 2010.

#### Assembly Clearinghouse Rule 10-020

Relating to hunting and trapping regulations, wildlife damage and nuisance control, closed areas and game refuges.

Submitted by Department of Natural Resources.

Report received from Agency, June 9, 2010.

To committee on **Fish and Wildlife**.

Referred on June 16, 2010.

#### Assembly Clearinghouse Rule 10-023

Relating to independent review procedures and affecting small business.

Submitted by Office of the Commissioner of Insurance.

Report received from Agency, June 14, 2010.

To committee on **Insurance**.

Referred on June 16, 2010.

#### Assembly Clearinghouse Rule 10-025

Relating to fishing on the inland, outlying, and boundary waters of Wisconsin.

Submitted by Department of Natural Resources.

Report received from Agency, June 7, 2010.

To committee on **Fish and Wildlife**.

Referred on June 16, 2010.

#### Assembly Clearinghouse Rule 10-027

Relating to the administrative procedures for the Wisconsin covenant scholars program.

Submitted by Department of Administration.

Report received from Agency, June 16, 2010.

To committee on **Education**.

Referred on June 21, 2010.

#### Assembly Clearinghouse Rule 10-040

Relating to demerit point system and graduated driver license restriction extensions.

Submitted by Department of Transportation.

Report received from Agency, June 10, 2010.

To committee on **Transportation**.

Referred on June 16, 2010.

### SPEAKER'S APPOINTMENTS

June 16, 2010

Patrick Fuller

Assembly Chief Clerk

17 West Main Street, Suite 401

Madison, WI 53703

Dear Chief Clerk Fuller:

I am appointing Representative Jon Richards to the Joint Committee on Finance to replace the vacancy created by Representative Gary Sherman's resignation.

This appointment is effective for any upcoming business the committee may have under s. 13.10 and other business over the upcoming months.

Sincerely,  
*MICHAEL J. SHERIDAN*  
Assembly Speaker

Sincerely,  
*REGGIE BICHA*  
Secretary

Referred to committee on **Children and Families**.

**REFERRAL OF AGENCY REPORTS**

Southeast Wisconsin Professional  
Baseball Park District  
Milwaukee

State of Wisconsin  
Department of Health Services  
Madison

June 15, 2010

June 18, 2010

To the Honorable, the Legislature:

To the Honorable, the Legislature:

On behalf of the Board of Directors of the Southeast Wisconsin Professional Baseball Park District, I would like to inform you that the following documents are now available on our website at [vnmillerparkdistrict.com](http://vnmillerparkdistrict.com):

I am pleased to submit to the Legislature the enclosed report as required by Chapter 153, Wisconsin Statutes. s. 153.05 (2m)(b) directs the Department of Health Services to biennially review the performance of the Wisconsin Hospital Association (WHA), the entity under contract to produce the reports under s. 153.05 (2m), and to report to the Legislature on the timeliness and quality of the reports produced by the Wisconsin Hospital Association Information Center (WHAIC). The WHAIC produced all required reports.

- Financial Statements – Independent Auditor’s Report for Year Ended December 31, 2009 (approved at the meeting of the Board of Directors on June 8, 2010)
- Sales Tax Sunset Date Projection (accepted and placed on file at the meeting of the Board of Directors on March 9, 2010)

Sincerely,  
*KAREN E. TIMBERLAKE*  
Secretary

In summary, if the current declining growth rate in sales tax revenues should continue, the District will not collect more taxpayer money – it may simply take longer to collect the same amount of money. The good news is the District will continue to pay off the Miller Park debt well before the full term of the original bond payments (30 years), but due to the declining sales tax receipts, it will take longer than originally projected.

Referred to committee on **Health and Healthcare Reform**.

State of Wisconsin  
Department of Health Services  
Madison

June 30, 2010

Please visit our website to review the reports for additional information or background. Also, please feel free to contact me if you should have any questions or should you desire more information. Thank you for your continued cooperation and assistance.

To the Honorable, the Legislature:

Sincerely,  
*MICHAEL R. DUCKETT, P.E., R.I.S.*  
Executive Director

I am pleased to submit to the Legislature the enclosed report as required by Wisconsin Statute s. 252.01 (11). The report describes the success of the statewide immunization program and was prepared by the Wisconsin Immunization Program.

Sincerely,  
*KAREN E. TIMBERLAKE*  
Secretary

State of Wisconsin  
Department of Children and Families  
Madison

Referred to committee on **Health and Healthcare Reform**.

June 16, 2010

**AGENCY REPORTS**

State of Wisconsin  
Legislative Audit Bureau  
Madison

June 23, 2010

To the Honorable, the Legislature:

To the Honorable, the Assembly:

Enclosed is a copy of the Child Abuse and Neglect Report, 2008 Data, pursuant to s. 48.981. The report includes a statistical analysis of suspected child abuse and neglect reports received and investigated by county child protective services (CPS) agencies and the state Bureau of Milwaukee Child Welfare in calendar year 2008. The report also contains information on child fatalities due to child abuse or neglect and data regarding children who are identified as victims of abusive head trauma.

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) 2008-09 financial statements. In addition, we have

continued to monitor its financial condition and efforts to improve its financial performance.

In FY 2008-09, State Fair Park's revenue exceeded expenditures by \$828,000 on a cash basis. Primarily because of a successful 2008 Wisconsin State Fair, State Fair Park was able to reduce its accumulated cash deficit to \$7.8 million on June 30, 2009. However, operations of the Milwaukee Mile racetrack continue to be a challenge. State Fair Park has been unable to find an external promoter and has managed racetrack operations internally since July 2009. In addition, the State of Wisconsin purchased the Wisconsin Exposition Center building in December 2009 for \$13.9 million, and State Fair Park now has the added responsibility of managing that facility.

As part of this year's audit, we reviewed the use of in-kind support, such as equipment or advertising, that State Fair Park solicits from businesses in exchange for tickets to the Wisconsin State Fair and advertising exposure on the fairgrounds. In-kind support allows State Fair Park to meet its operational needs and increase its advertising without a cash outlay and is therefore an important component of cost-effective operations. However, State Fair Park does not effectively monitor and report this activity, which increases the risk of inappropriate use. We have reported this issue as a material weakness in internal controls, along with certain other issues 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 Executive Director follows the appendices.

Respectfully submitted,  
*JANICE MUELLER*  
State Auditor

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State of Wisconsin  
Legislative Audit Bureau  
Madison

June 24, 2010

To the Honorable, the Assembly:

The Legislative Audit Bureau has operated its Fraud, Waste, and Mismanagement Hotline since April 2008. The hotline was established by [2007 Wisconsin Act 126](#) so that the public, public employees, and contractors could easily and confidentially report suspected fraud, waste, mismanagement, and other improper activities within the scope of state government.

Hotline reports are received primarily through a toll-free telephone number (1-877-FRAUD-17), but also by mail and a secure Web-based form that was developed in 2009. We review each report to determine whether the allegation or concern can be addressed by staff in state agencies or in an independent review by Audit Bureau staff. Statutes require us to protect the identity of any individual making a report and all reported concerns are tracked.

Of the 79 hotline reports we received in 2009, 53 were specific to state programs. We resolved 16 of the reported concerns; 19 remain under review, and 18 could not be substantiated with available information or required no further action.

This letter highlights hotline activities in 2009 and summarizes outcomes and findings related to reports that illustrate the variety of issues addressed through our hotline work.

We appreciate the courtesy and cooperation of the various state agencies with whom we worked to resolve hotline reports or address common types of allegations.

Sincerely,  
*JANICE MUELLER*  
State Auditor