

STATE OF WISCONSIN  
**Senate Journal**  
One–Hundredth Regular Session

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FRIDAY, May 13, 2011

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

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**CHIEF CLERK'S ENTRIES**

**SENATE ENROLLED PROPOSALS**

The Chief Clerk records:

**Senate Bill 12**

**Senate Bill 20**

**Senate Bill 59**

**Senate Bill 72**

**Senate Joint Resolution 11**

Report correctly enrolled on 5–13–2011.

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**INTRODUCTION, FIRST READING, AND  
REFERENCE OF PROPOSALS**

Read and referred:

**Senate Joint Resolution 31**

Relating to: memorializing Congress to reintroduce and pass the Oil Industry Tax Break Repeal Act.

By Senators Hansen, Wirch, Holperin, Lassa, Miller, Risser, Vinehout, Jauch, C. Larson, Taylor, Carpenter, Erpenbach and S. Coggs; cosponsored by Representatives Pasch, Hebl, Shilling, Turner, Clark, Pocan, Hulsey, Milroy, Berceau and Roys.

To committee on **Public Health, Human Services, and Revenue**.

Read first time and referred:

**Senate Bill 94**

Relating to: creation of the Wisconsin Venture Capital Authority, creation of the badger jobs fund and the jobs now fund certification program, both of which are to be administered by the Wisconsin Venture Capital Authority, making an appropriation, and providing a penalty.

By Senators Hopper, Darling, Lazich, Olsen, Leibham, Schultz and Wanggaard; cosponsored by Representatives Tauchen, Klenke, Kuglitsch, Fields, Williams, Kestell, Nygren, Spanbauer, A. Ott, Van Roy, LeMahieu, Petrowski, Endsley and Bies.

To committee on **Economic Development and Veterans and Military Affairs**.

**Senate Bill 95**

Relating to: granting high school credit for extracurricular sports; services provided by a special education program; transportation aid paid to school districts; the use of moneys

received by a school district from the common school fund; using the results of standardized examinations to evaluate, discharge, suspend, or discipline a teacher or for the nonrenewal of a teacher's contract; the number of teaching days scheduled in the Milwaukee Public Schools; permitting a school district to limit the grades in which to reduce class size under the Student Achievement Guarantee in Education Program; permitting a school board to deny enrollment to a pupil who has been expelled from an out-of-state school or from an independent charter school in this state and permitting an independent charter school to expel a pupil; use of law enforcement records to take disciplinary action against a pupil under a school district's athletic code; and changing the date by which a school district must certify the amount of its property tax levy.

By Senators Olsen and Darling; cosponsored by Representatives Kestell, Strachota, Steineke, Farrow, Spanbauer, Marklein, Brooks, Petrowski and Bernier.

To committee on **Education**.

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**PETITIONS AND COMMUNICATIONS**

Pursuant to Senate Rule 17 (5), Representative Steineke added as a cosponsor of **Senate Bill 93**.

Pursuant to Senate Rule 17 (5), Senator Wanggaard added as a coauthor of **Senate Bill 75**.

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**State of Wisconsin  
Office of Senator Mark Miller**

May 2, 2011

The Honorable, The Senate:

Pursuant to Section 15.205(4), I am reappointing Senator Julie Lassa to the Child Abuse and Neglect Prevention Board.

Please feel free to contact me with any questions.

Sincerely,

**MARK MILLER**

Senator, 16th Senate District

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**WHA Information Center**

May 5, 2011

The Honorable, The Senate:

Please find enclosed a hard copy of the Guide to Wisconsin Hospitals, FY 2009 produced by WHA Information Center pursuant to s. 153.22, Wis Stats. The report was posted on our Website in March 2011. Please feel free to download and print additional copies.

If you have any questions regarding the report you may contact me at 608-274-1820, 800-231-8340 or [drickelman@wha.org](mailto:drickelman@wha.org).

Sincerely,  
DEBBIE RICKELMAN  
Senior Director

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**State of Wisconsin  
Legislative Audit Bureau**

May 9, 2011

The Honorable, The Legislature:

As required by 2009 Wisconsin Act 219, we have completed an evaluation of the BadgerCare Plus Basic Plan administered by the Department of Health Services (DHS). The Basic Plan was established to provide temporary, unsubsidized health insurance for childless adults on a waiting list for the BadgerCare Plus Core Plan, a Medical Assistance program that imposed enrollment caps in October 2009. A total of 5,143 individuals were enrolled in the Basic Plan at some point during the six-month period we reviewed.

Statutes require the Basic Plan's insured benefits and administrative costs to be funded by premiums, although program costs may be subsidized by federal grant funding if it is available. Through December 2010, expenditures exceeded revenues by \$140,300, and the deficit would have been larger without \$1.1 million in federal State Health Access Program grant funding that may not be available in the future.

We identified numerous concerns that are affecting the Basic Plan's sustainability. Most notably, monthly premiums have been insufficient to cover services and administrative costs, services have been provided to individuals who were not enrolled in the plan, and enrollees have received services that are not covered under the plan. In addition, until recently DHS did little to verify the eligibility of applicants and enrollees. We also found that DHS had charged a total of \$878,800 in plan expenditures to two general purpose revenue appropriations, contrary to state law. DHS reversed these transactions when we raised concerns about them during our fieldwork.

DHS has taken recent steps to address the Basic Plan's deficit, including transferring 438 high-cost enrollees with diagnoses of cancer and cardiac conditions to the Core Plan. In addition, DHS suspended enrollment in the Basic Plan in March 2011 and increased the monthly premium from \$130 to \$200 beginning with June coverage. Despite these recent changes, concerns remain regarding the Basic Plan's sustainability. Therefore, DHS and the Legislature will need to consider how best to address the future of the plan, which is scheduled to sunset on January 1, 2014.

We appreciate the courtesy and cooperation extended to us by DHS in completing this evaluation.

Sincerely,  
JANICE MUELLER  
State Auditor

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**State of Wisconsin  
Department of Transportation**

May 9, 2011

The Honorable, The Senate:

The Local Roads Improvement Program (LRIP) was established in 1991 to assist local communities in improving

seriously deteriorating county highways, town roads, and municipal streets. Since then, \$371.3 million has been distributed to local units of government through this program. The 2009-11 State Biennial Budget provided non-discretionary funds of \$16.2 million in FY 2010 and \$16.2 in FY 2011, with separate discretionary funds of \$6.8 million in FY 2010 and \$6.8 million in FY 2011. Including funding carryover from the previous program cycle, \$46.6 million was available for 900 LRIP projects during the FY 2010 and FY 2011 program cycle.

Administrative Rule Trans 206.03(15)(f) directs WisDOT to publish a summary of program activity by June 30th of each odd-numbered year. The latest edition, Local Roads Improvement Program (LRIP) Biennial Summary Report: State Fiscal Years 2010-2011 is available exclusively electronically on the LRIP Web site at <http://www.dot.wisconsin.gov/localgov/highways/docs/lrip-biennial2010.pdf>.

Information in the report is current as of March 10, 2011. Since not all projects from the 2010-2011 program cycle were completed as of this date, data in this report may not agree with the most current information available.

If you have questions regarding the program, please visit the LRIP Web site at:

<http://www.dot.wisconsin.gov/localgov/highways/lrip.htm>

You may also contact LRIP Program Manager:

Janice Watzke: [janice.watzke@dot.wi.gov](mailto:janice.watzke@dot.wi.gov)

Phone - (608) 266-9497

Sincerely,  
LORI RICHTER  
Local State Programs Unit Leader

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**State of Wisconsin  
Government Accountability Board**

May 10, 2011

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2011-2012 session of the legislature, visit the Government Accountability Board's web site at <http://gab.wi.gov/>

Bauer, Kurt	Wisconsin Manufacturers & Commerce
Berlinski, Heather	American Council of Engineering Companies of Manitoba Hydro
Boyer, Amy	Wisconsin Organization for Responsible Consumerism,
Boyer, Amy	Manitoba Hydro
Cook, Andrew	RENEW Wisconsin
Cullen, Lee	Wind on the Wires
Cullen, Lee	Madison Area Builders Association
Disch, Andrew	SEIU Healthcare Wisconsin
Edwards, Torreon	Wisconsin Organization for Responsible Consumerism,
Engel, Andrew	Manitoba Hydro
Fassbender, Robert I	Gogebic Taconite LLC
Fifield, Matt	Wisconsin Credit Union
Fitzgerald, Moira E	

Fonfara, Thomas	League United HealthCare Services Inc.
Garvin, Robert	Wisconsin Energy Corporation
Goyke, Gary R.	Wisconsin Game Preserve Association
Hoven, Timothy	Wisconsin Organization for Responsible Consumerism, ATI
Johns, Jason E Kammer, Peter	Wisconsin Ready Mixed Concrete Association
Klaetsch, George Klaetsch, George Kuehn, Ronald W Kunicki, Walter	Altria Client Services Inc MAXIMUS Inc American Chemistry Council Wisconsin Energy Corporation
Martinko, Jayne	American Council of Engineering Companies of Venture Investors LLC
Neis, John Panzer, Mary Petersen, Eric J Petersen, Eric J Pyper, Thomas M. Rogowski, Michael	Smart Government, Inc. Lighthouse on the Lake, Inc. Radtko Contractors Inc Gogebic Taconite LLC Satellite Broadcasting & Communications Association (SBCA)
Seitz, Robert	United HealthCare Services Inc.
Springer, Thomas J Springer, Thomas J	Gogebic Taconite LLC Satellite Broadcasting & Communications Association (SBCA)
Stenger, Scott	Wisconsin Organization for Responsible Consumerism,
Walker, Mindy	Wisconsin Organization for Responsible Consumerism,
Welsh, Michael	Wisconsin Organization for Responsible Consumerism,

Also available from the Wisconsin Government Accountability Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,  
*KEVIN KENNEDY*  
Director and General Counsel

**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin  
Office of the Governor**

May 10, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BRADEN, MARK, of Lake Geneva, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 2014.

Respectfully submitted,  
*SCOTT WALKER*  
Governor

Read and referred to committee on **Health**.

**State of Wisconsin  
Office of the Governor**

May 10, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint BROWN, GARY, of Kenosha, as a member of the Podiatrists Affiliated Credentialing Board, to serve for the term ending July 1, 2014.

Respectfully submitted,  
*SCOTT WALKER*  
Governor

Read and referred to committee on **Health**.

**State of Wisconsin  
Office of the Governor**

May 10, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DIERCKS, ANDREW, of Coloma, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2017.

Respectfully submitted,  
*SCOTT WALKER*  
Governor

Read and referred to committee on **Agriculture, Forestry, and Higher Education**.

**State of Wisconsin  
Office of the Governor**

May 9, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GARVEY, PAMELA, of Centuria, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2017.

Respectfully submitted,  
*SCOTT WALKER*  
Governor

Read and referred to committee on **Agriculture, Forestry, and Higher Education**.

**State of Wisconsin  
Office of the Governor**

May 10, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LEIS, MIRANDA, of Cashton, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2017.

Respectfully submitted,  
*SCOTT WALKER*  
Governor

Read and referred to committee on **Agriculture, Forestry, and Higher Education**.

**State of Wisconsin  
Office of the Governor**

May 10, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SCHLEITWILER, MARK, of Green

Bay, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2017.

Respectfully submitted,  
*SCOTT WALKER*  
Governor

Read and referred to committee on **Agriculture, Forestry, and Higher Education.**

**State of Wisconsin  
Office of the Governor**

May 10, 2011

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SPITZ, THOMAS, of Sun Prairie, as a member of the Banking Review Board, to serve for the term ending May 2, 2016.

Respectfully submitted,  
*SCOTT WALKER*  
Governor

Read and referred to committee on **Financial Institutions and Rural Issues.**

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

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

**Senate Clearinghouse Rule 10–131**

Relating to golf carts.

No action taken.

*NEAL KEDZIE*  
Chairperson

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**MESSAGES FROM THE ASSEMBLY CONSIDERED**

**Assembly Bill 7**

Relating to: requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, absentee voting procedure in certain residential care apartment complexes and adult family homes, identification cards issued by the Department of

Transportation, creating an identification certificate issued by the Department of Transportation, requiring the exercise of rule-making authority, and providing a penalty.

By Representatives Stone, Tauchen, Honadel, J. Ott, Vos, Pridemore, Bernier, LeMahieu, August, Spanbauer, Kramer, Petersen, Ziegelbauer, Kestell, Ripp, Van Roy, Kerkman, Jacque, Litjens, Nass, Kaufert, Strachota, Steineke, Kapenga, Krug, Farrow, Knodl, Kleefisch, Kooyenga, Ballweg, Endsley, Rivard, Thiesfeldt, A. Ott, Petryk, Williams, Severson, Wynn, Knudson, Kuglitsch, Petrowski, Nygren, Meyer, Tiffany, Bies, Knilans, J. Fitzgerald and Klenke; cosponsored by Senators Leibham, Lazich, Vukmir, Kapanke, Grothman, Darling, Galloway, Wanggaard, Kedzie, Ellis, Zipperer, Olsen, Schultz, Moulton, Lasee, Cowles, Hopper, Harsdorf, S. Fitzgerald and Carpenter.

Read first time and referred to committee on **Senate Organization.**

**Assembly Bill 48**

Relating to: information about land acquired with stewardship funding.

By Representatives J. Ott, Mursau, Stone, Ballweg, Pridemore, Kestell, LeMahieu, Williams, Bies, Brooks, Strachota, Petersen, Tiffany, Kerkman, Rivard, Steineke and Nerison; cosponsored by Senators Kedzie, Moulton, Harsdorf, Galloway and Schultz.

Read first time and referred to committee on **Natural Resources and Environment.**

**Assembly Bill 60**

Relating to: individuals and officers who may be covered by a county blanket bond.

By Representatives Van Roy, Jacque, Wynn, Kerkman, Spanbauer, Petersen, LeMahieu, Rivard, Brooks, Sinicki and Strachota; cosponsored by Senators Cowles, Holperin, Galloway, Lassa and Hansen.

Read first time and referred to committee on **Economic Development and Veterans and Military Affairs.**

**Assembly Joint Resolution 21**

Relating to: creation of the fiscal responsibility fund (first consideration).

By Representatives Tranel, Jacque, Ripp, Ballweg, Knilans, Brooks, Marklein, A. Ott, Rivard, Kestell, Spanbauer, Pridemore, Steineke, Bernier, Petryk, Honadel, Endsley, Tauchen, Kaufert and Mursau; cosponsored by Senator Schultz.

Read first time and referred to committee on **Judiciary, Utilities, Commerce, and Government Operations.**