

The chief clerk makes the following entries under the above date.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 383

Relating to prohibiting the use of cigarettes and tobacco products on the premises of secured correctional facilities and day care centers, authorizing the department of health and social services to enforce the clean indoor air law with respect to restaurants, authorizing the board of regents of the university of Wisconsin system to prohibit the use of cigarettes and tobacco products on property that is subject to its jurisdiction, the authority of counties, towns, villages and cities to adopt ordinances regulating the purchase, possession, sale or giving of cigarettes and tobacco products and regulating smoking in restaurants and in private schools, colleges and universities.

By Senators Risser, Rosenzweig, Burke, Clausing and Buettner; cosponsored by Representatives Plache, R. Young, Robson, Bell, Boyle, Black, Bock, Turner, Grobschmidt, Wood, Ott, Morris-Tatum, Urban, Krusick, Cogg and Gruszynski.

To committee on State Government Operations and Corrections.

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 46(2)(c), Senate Bill 379 was withdrawn from committee on Judiciary and Insurance and referred to committee on Health, Human Services and Aging on July 22, 1993.

State of Wisconsin  
Legislative Audit Bureau

July 21, 1993

To the Honorable the Legislature:

As required by s. 13.94, Wis. Stats., we have completed a financial audit of the Patients Compensation Fund, which provides medical malpractice insurance coverage in excess of statutory minimums to Wisconsin's health care providers. The Fund is governed by a Board and administered by the Office of the Commission of Insurance. We were able to provide an unqualified auditor's report on the Fund's financial statements for the fiscal years ending June 30, 1992, June 30, 1991, and June 30, 1990.

One of the most significant concerns facing the Fund is an accounting deficit, which reached \$79 million as of June 30, 1992. The Fund had a cash and investment balance of over \$197 million at the end of fiscal year 1991-92, which may take attention away from the accounting deficit. However, we project that if current trends continue, within the next 15 to 20 years the Fund could experience cash flow problems that may be difficult to address unless steps

are taken soon to increase revenues or limit claim costs. Further, if national medical and malpractice reform efforts eliminated the need for the Fund, cash flow concerns would become more immediate. The Board has undertaken a study of alternatives for addressing the deficit.

In response to concerns raised in earlier audits, the Fund has taken several steps to improve its claim operations, although we note that the Fund needs to continue steps to improve the accuracy and timeliness of its claim information. Further, we believe there may be a potential conflict of interest when the claims contractor purchases claim settlement annuities through its internal brokerage department, which received an estimated \$378,000 to \$503,000 in commissions from annuity companies for the purchase of annuities for the Fund during our audit period.

We appreciate the courtesy and cooperation extended to us by the staff of the Office of the Commissioner of Insurance and the contractors who help administer the Patients Compensation Fund program. The response from the Commissioner of Insurance is the appendix.

Sincerely,  
Dale Cattanach  
State Auditor

State of Wisconsin  
University of Wisconsin System

July 20, 1993

To the Honorable the Legislature:

The University of Wisconsin System Board of Regents adopted the following resolution at its July meeting:

Pursuant to 1989 Wisconsin Act 186, s. 36.12(3)(a)(b), Wisconsin Statutes (effective April 24, 1990), the Board of Regents hereby accepts the attached report and directs that it be submitted to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172(3).

The referenced report is attached. The report details for the previous academic year: 1) the number of complaints received at each institution and center alleging a violation of the above statute, and a disposition of each such complaint, and 2) the number of requests for review of these complaints received by the Board of Regents.

A total of 139 complaints were received by the UW System institutions during the 1992-93 academic year. Of the 139 complaints, 89 complaints were resolved, 9 complainants requested no action be taken, 7 complaints were dismissed by the institution, 5 were withdrawn by the complainant, and 29 complaints are pending.

The Board of Regents did not receive any requests for review of the institutions' decisions in these cases.

Sincerely,  
Katharine C. Lyall  
President

State of Wisconsin  
Department of Health and Social Services

State of Wisconsin  
Office of the Governor

July 19, 1993

July 14, 1993

To the Honorable the Legislature:

As required by Chapter 140.05(16)(h) of the Wisconsin Statutes, we are pleased to provide the annual report on the statewide immunization program. Please distribute this report to the appropriate standing committees.

Sincerely,  
Gerald Whitburn  
Secretary

State of Wisconsin  
Department of Health and Social Services

July 22, 1993

To the Honorable the Legislature:

1989 Wisconsin Act 336 directed the Department of Health and Social Services, with the assistance from an advisory committee, to develop an implementation plan for a Medical Assistance nursing home reimbursement system based on resident health care status. The enclosed report addresses the feasibility of such a system in Wisconsin.

Sincerely,  
Richard Lorang  
Deputy Secretary

State of Wisconsin  
Senator Stitt

July 21, 1993

To the Honorable the Senate:

I hereby submit my resignation from the Wisconsin State Senate effective July 21, 1993.

Sincerely,  
Donald K. Stitt  
20th Senate District

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor

July 23, 1993

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Act No.	Date Approved
349	----- 12 -----	July 22, 1993

Respectfully,  
TOMMY G. THOMPSON  
Governor

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint JOSEPH MAEHL of Neenah, as a member of the Fox River Management Commission pursuant to the statute governing, to serve for the term ending March 1, 1996.

Respectfully,  
Tommy Thompson  
Governor

Read and referred to committee on Environment and Energy.

SENATE CLEARINGHOUSE ORDERS

**Clearinghouse Rule 92-178**

Relating to the taxation of services for sales and use tax purposes.

Submitted by Department of Revenue.

Report received from agency, July 23, 1993.

Referred to committee on State Government Operations and Corrections, July 28, 1993.

**Clearinghouse Rule 93-37**

Relating to state land use regulations.

Submitted by Department of Natural Resources.

Report received from agency, July 21, 1993.

Referred to committee on Environment and Energy, July 28, 1993.

**Clearinghouse Rule 93-74**

Relating to sport fishing in Wisconsin-Michigan boundary waters.

Submitted by Department of Natural Resources.

Report received from agency, July 21, 1993.

Referred to committee on Environment and Energy, July 28, 1993.

**Clearinghouse Rule 93-91**

Relating to the electrical code.

Submitted by Public Service Commission.

Report received from agency, July 23, 1993.

Referred to committee on Environment and Energy, July 28, 1993.

**Clearinghouse Rule 93-97**

Relating to the registration of charitable organizations, professional fund raisers and fund-raising counsel and to annual reports submitted to the department by charitable organizations.

Submitted by Department of Regulation and Licensing.

Report received from agency, July 21, 1993.

Referred to committee on Business, Economic Development and Urban Affairs, July 28, 1993.

The committee on Health, Human Services and Aging reports and recommends:

**Clearinghouse Rule 92-220**

Relating to fees for copies of health care provider records.

Modification approved:

Ayes, 5 — Senators Buettner, Lorman, Rude, Rosenzweig and Moen;

Noes, 2 — Senators Breske and Moore.

Carol A. Buettner  
Chair

**CHIEF CLERK'S REPORT**

The chief clerk records:

**Senate Bill 349.**

Correctly enrolled and presented to the Governor on July 22, 1993.

**CHIEF CLERK'S CORRECTION**

Suggested by Legislative Reference Bureau

**Senate Bill 44**

Conference Amendment 1  
To Senate Substitute amendment 2

In enrolling, the following corrections were made:

1. Page 26, line 19: substitute "614" for "615".
2. Page 26, line 20: substitute "615" for "616".
3. Page 46, line 30: delete "1991,".

Note: Removes text inadvertently added; it is not part of the drafting record.

4. Page 57, line 36: substitute "25" for "24", in both places.

NOTE: Saves a title that is needed because 2 subsections were added.