



STATE OF WISCONSIN Assembly Journal

Ninety-Fifth Regular Session

1:13 P.M.

THURSDAY, July 26, 2001

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

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Hahn.

Representative Hubler led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pohan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Wade, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 97.

Absent with leave – Representatives Colon and Morris–Tatum – 2.

Vacancies – None.

LEAVES OF ABSENCE

Representative Bock asked unanimous consent for a leave of absence for today's session for Representatives Colon and Morris–Tatum. Granted.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 466

Relating to: elimination of legislative partisan caucus staffs.

By Representatives Reynolds, Ziegelbauer, Boyle, Carpenter, Wasserman, Staskunas, Powers, J. Lehman, Ryba, Gronemus and Hebl; cosponsored by Senator Harsdorf.

To committee on **Assembly Organization**.

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

June 15, 2001

To the Honorable, the Legislature:

This report is transmitted as required by sec. 20.002(11)(f), Wis. Stats. (for distribution to the appropriate standing committees under sec. 13.172(3), Wis. Stats.), and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative balances during the month of May 2001.

On May 8, 2001 the **Common School Income Fund** balance was -\$9.98 million. This shortfall continued until May 9, 2001 when the balance reached \$2.39 million. This shortfall was due to the timing of revenues.

The Common School Income Fund shortfall was not in excess of the statutory interfund borrowing limitation and did not exceed the balances of the Funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority.

Sincerely,
GEORGE LIGHTBOURN
Secretary

Referred to committee on **Ways and Means**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

July 26, 2001

To the Honorable, the Legislature:

As requested by the Joint Legislative Audit Committee, we have completed an evaluation of the Department of Health and Family Services' (DHFS's) prior authorization process for occupational, physical, and speech therapy services provided under the Medical Assistance program. Administrative code states that prior authorization is intended to safeguard against unnecessary or inappropriate care. In 1999, approximately 6,300 individuals received therapy services that required prior authorization; these services cost \$11.2 million.

From 1995 through June 2000, the average processing time for therapy prior authorization requests increased by 6.7 percent (1.1 working days), despite a decrease in the number of requests submitted and an increase in the number of staff processing requests. Longer processing times resulted primarily from increases in the percentage of incomplete requests returned to providers. In 1995, 43.9 percent of requests were returned at least once; in 1999, the rate of return was 49.5 percent.

We also examined denial rates for therapy prior authorization requests. We found that since 1997, denial rates have been substantially higher for school-age children than for other age groups. Unlike other age groups, school-age children can obtain services without prior authorization through the School-Based Services program. The Legislature created this program in 1995 to capture Medical Assistance funds for special education services. In 1999, 62 percent of Medical Assistance expenditures for therapy services for school-age children were paid to school-based providers. Community-based therapy providers and some parents believe that the growth of the program has made it more difficult to obtain approval for therapy services outside of school and that DHFS staff are inclined to deny community-based services to children also receiving school-based services. However, we found that denial rates for community-based therapy were slightly lower for children receiving therapy through the School-Based Services program than they were for children who were not receiving therapy through that program.

We appreciate the courtesy and cooperation extended to us by DHFS and the Department of Public Instruction. DHFS's response is the appendix.

Respectfully submitted,
JANICE MUELLER
State Auditor

LEAVES OF ABSENCE

Representative Bock asked unanimous consent for a leave of absence for part of today's session for Representatives Black, Coggs, Hebl, Kreuser and Plale. Granted.

Representative Vrakas asked unanimous consent that the Assembly stand recessed until 6:00 P.M. Granted.

The Assembly stood recessed.

1:20 P.M.

RECESS

6:03 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Black asked unanimous consent that his leave of absence be lifted. Granted.

Representative Coggs asked unanimous consent that his leave of absence be lifted. Granted.

Representative Hebl asked unanimous consent that his leave of absence be lifted. Granted.

Representative Kreuser asked unanimous consent that his leave of absence be lifted. Granted.

Representative Plale asked unanimous consent that his leave of absence be lifted. Granted.

Representative Black asked unanimous consent for a quorum call. Granted.

A quorum was present.

**REPORT OF COMMITTEE OF
CONFERENCE ON SENATE BILL 55**

The members of the Committee of Conference on 2001 **Senate Bill 55**, relating to: state finances and appropriations, constituting the executive budget act of the 2001 legislature, convened under 2001 Assembly Joint Resolution 55, report and recommend That, by the adoption of this report:

1. Prior senate action. The senate recedes from its position.

2. Prior assembly action. The assembly recedes from its position.

3. Action on conference report. The senate and assembly adopt and concur in Senate Substitute Amendment 1 to 2001

Senate Bill 55 as affected by Conference Amendment 1 (LRBb2226/1) to that substitute amendment, which is attached to and made a part of this report.

<i>REP. SCOTT JENSEN</i>	<i>SEN. CHARLES CHVALA</i>
<i>REP. JOHN GARD</i>	<i>SEN. BRIAN BURKE</i>
<i>REP. STEVEN FOTI</i>	<i>SEN. GARY GEORGE</i>
<i>REP. SPENCER BLACK</i>	<i>SEN. MARY PANZER</i>

AGREEMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL 55

The members of the Committee of Conference on 2001 **Senate Bill 55**, convened under 2001 Assembly Joint Resolution 55, agree that the provision of the conference committee proposal concerning out-of-state wine shippers, as treated in amended s. 125.68 (10)(bm), should be modified to add the following sentence: "A signature on the delivery form of the common carrier by a person of legal drinking age acknowledges delivery in writing."

<i>REP. SCOTT JENSEN</i>	<i>SEN. CHARLES CHVALA</i>
<i>REP. JOHN GARD</i>	<i>SEN. BRIAN BURKE</i>
<i>REP. STEVEN FOTI</i>	<i>SEN. GARY GEORGE</i>
<i>REP. SPENCER BLACK</i>	<i>SEN. MARY PANZER</i>

Senate Bill 55

Relating to: state finances and appropriations, constituting the executive budget act of the 2001 legislature.

Conference Amendment 1 to Senate substitute amendment 1 to **Senate Bill 55** offered by Committee of Conference.

Representative Duff withdrew his point of order raised on Monday, July 2, that a motion to table the motion to suspend the rules to immediately message **Senate Bill 55** to the Senate was not properly before the Assembly under Assembly Rule 74 (3).

The question was: Shall the Committee of Conference report on **Senate Bill 55** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Coggs, Duff, Foti, Freese, Friske, Gard, Gronemus, Gunderson, Hahn, Hebl, Huber, Huebsch, Jeskewitz, Johnsrud, Kaufert, Kedzie, Krawczyk, Kreibich, Kreuser, Krusick, La Fave, Ladwig, Lassa, J. Lehman, M. Lehman, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Montgomery, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Shilling, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder,

Sykora, Townsend, Turner, Underheim, Urban, Vrakas, Wade, Walker, Ward, Wieckert, Wood and Speaker Jensen – 73.

Noes – Representatives Boyle, Carpenter, Cullen, J. Fitzgerald, Grothman, Gundrum, Hoven, Hubler, Hundertmark, Kestell, Krug, F. Lasee, Leibham, Musser, Nass, Olsen, Richards, Sinicki, Travis, Wasserman, Young and Ziegelbauer – 22.

Paired for – Representatives Colon and Morris–Tatum – 2.

Paired against – Representatives Miller and Williams – 2.

Absent or not voting – None.

Motion carried.

ANNOUNCEMENTS

Representative Suder asked unanimous consent that the Assembly adjourn in honor of R.J. and Anne Pirlot and their new baby boy, Augustus Mull, who was born on July 25. Granted.

Representative Reynolds asked unanimous consent that the Assembly adjourn in honor of his wife, Patricia Reynolds, who celebrated her birthday today. Granted.

Representative Sherman asked unanimous consent that the Assembly adjourn in honor of all the people who contributed to the budget process. Granted.

Representative Ainsworth asked unanimous consent that the Assembly adjourn in honor of Susie Opperman, who will celebrate her 103rd birthday on August 16. Granted.

Representative Lippert asked unanimous consent that the Assembly adjourn in honor of her daughter, Caroline Lippert, who will celebrate her 10th birthday tomorrow. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of his wife, Georgia Schneider, who will celebrate her 50th birthday on August 17. Granted.

Representative Owens asked unanimous consent that the Assembly adjourn in honor of the Georgia Pacific Soccer Team which was undefeated this season. Granted.

Representative Lassa asked unanimous consent that the Assembly adjourn in honor of the birthday of her father, Jerome Lassa. Granted.

Representative Lassa asked unanimous consent that the Assembly adjourn in honor of the birthday of her husband, John Moe. Granted.

Representative Pocan asked unanimous consent that the Assembly adjourn in honor of Nate Waukau, on his last day of service as an Assembly page. Granted.

VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Representative Schooff's nephew, Jack Roosevelt Rongstad, of Waunauke, guest of Representatives Schooff and Plale.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, October 2, pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

7:20 P.M.