

MISCELLANEOUS MOTIONS

A

Burke

- 1533 Sexual Assault of a Child -- Civil Actions
- 1536 Teacher Education Loan Program

Decker

- 1447 ATV Weight Limit
- 1451 Mountain Bay Trail

Moore

- 1562 Unclaimed Impounded Vehicles
- 1580 Transfer of Food Stamp Program from DWD to DHFS

Shibilski

- 1525 Information on Traffic Stops (General Provisions)
- 1579 Village of Whiting Fishing Pier

Plache

- 1433 Urban Forestry -- City of Racine
- 1630 Transfer of Food Service Operation at Southern Wisconsin Center

Wirch

- 1531 Specific Information Sign in Kenosha County
- 1611 Joint Provision of Health Care Benefits for Political Subdivisions

Darling

- 1528 Railroad Crossing Funds for the Improvements in the Villages of Bayside and Fox Point and the City of Mequon
- 1539 Department of Revenue Tax Processing

Welch

- 1296 Federal Registrant Activity in State and Local Campaigns
- 1541 Petition for Incorporation as a Fourth Class City

Gard

- 1617 Transfer of Nursing Home Beds

Kaufert

- 1530 Grant for the Town of Menasha for the Construction of a Recreational Trail
- 1402 Annexations Involving Town Islands

Albers

- 1563 Enumeration of State Ballad and State Waltz
- 1403 Information Displayed on Property Tax Bills

Duff

- 1410 Theodore Winton Youmans Home

Ward

- 1446 Fish Ladder Exemption

Huebsch

- 1404 Fire Safety Staff and Fire Dues
- 1585 Definition of Public Utility Facility for Purposes of Providing an Engineering Plan to DNR

Huber

- 1445 Wausau State Office Facility Study
- 1448 Wausau Kayak/Canoe Corporation

Coggs

- 1529 Local Roads Improvement Program Funds for Town Roads Damaged by Heavy Truck Loads
- 1522 Prohibit Use of State Funds for Support of Union or Anti-Union Activities

NATURAL RESOURCES – FISH, WILDLIFE, & RECREATION

ATV Weight Limit

Motion:

Move to increase the maximum allowable weight of an all-terrain vehicle to 900 pounds.

Note:

Under current law, an all-terrain vehicle is defined as an engine-driven device with a width of not more than 48 inches and a net weight of 650 pounds or less that is designed to travel on at least three low-pressure tires and that is equipped with a seat designed to be straddled by the vehicle operator. A person who operates an all-terrain vehicle on a highway is exempted from some traffic laws that apply to other vehicle types, and no demerit points are assessed for traffic violations committed while operating an all-terrain vehicle.

MO#

MO#			
2	BURKE	(Y)	N A
1	DECKER	(Y)	N A
	MOORE	(Y)	N A
	SHIBILSKI	(Y)	N A
	PLACHE	(Y)	N A
	WIRCH	(Y)	N A
	DARLING	(Y)	N A
	WELCH	(Y)	N A
	GARD	(Y)	N A
	KAUFERT	(Y)	N A
	ALBERS	(Y)	N A
	DUFF	(Y)	N A
	WARD	(Y)	N A
	HUEBSCH	(Y)	N A
	HUBER	(Y)	N A
	COGGS	(Y)	N A

WORKFORCE DEVELOPMENT -- ECONOMIC SUPPORT AND CHILD CARE

Unclaimed Impounded Vehicles

Motion:

Move to require DWD, in consultation with the Department of Transportation and local governmental entities, to conduct a study of the feasibility of a program that would provide or sell unclaimed impounded vehicles to low-income individuals at below-market prices. Further, require DWD to submit the findings of the study to the Joint Committee on Finance and other appropriate standing committees by June, 30, 2002.

Note:

Under current law, local governmental entities are responsible for impounding abandoned vehicles. Local agencies can either sell or dispose of unclaimed abandoned vehicles after a specified period of time. Costs not recovered from the sale of the vehicle may be recovered in a civil action by the municipality against the owner. For calendar year 2000, the City of Milwaukee sold 2,974 vehicles at auction at approximately \$160 per vehicle. However, the city also incurs costs of the initial tow of \$52 per vehicle and storage costs of \$11 per day for 30 days, resulting in a net loss of approximately \$222 per vehicle.

The motion would direct DWD to study the feasibility of a program to provide or sell unclaimed impounded vehicles to low-income individuals at below-market prices. The motion would also require DWD to submit the findings of the study to the Joint Committee on Finance and other appropriate standing committees by June 30, 2002.

Motion #1562

MO#	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	<input checked="" type="radio"/>																
	BURKE	DECKER	MOORE	SHIBILSKI	PLACHE	WIRCH	DARLING	WELCH		GARD	KAUFERT	ALBERS	DUFF	WARD	HUEBSCH	HUBER	COGGS
	AYE <u>16</u> NO <u>0</u> ABS																

WORKFORCE DEVELOPMENT AND HEALTH AND FAMILY SERVICES

Transfer of Food Stamp Program from DWD to DHFS

Motion:

Move to transfer responsibility for administration of the federal food stamp program from the Department of Workforce Development (DWD) to the Department of Health and Family Services (DHFS), effective July 1, 2002. Require DHFS to contract with DWD for the administration of the food stamp employment and training (FSET) program.

Further, specify that, effective January 1, 2003, DHFS (rather than DWD) would be responsible for contracting with counties for income maintenance functions, and specify that the income maintenance contract would include funding for administration of medical assistance (MA) and food stamps and not W-2 or child care.

Additionally, specify that DHFS would have the option to either set up its own systems to conduct state and local error reduction, overpayment collections and record matching for the food stamp and medical assistance programs, or contract with DWD for these functions. Provide DHFS with the appropriation authority to fund food stamp error penalties and food stamp reinvestment activities required by the federal government to reduce payment errors.

Require DHFS and DWD to develop a plan for the proposed transfer of funding and positions from DWD to DHFS to implement this transfer and submit the plan to the Secretary of the Department of Administration (DOA). Require DOA to submit the plan, as approved, to the Committee no later than March 1, 2002, for the Committee's approval at its 2002 first quarterly meeting under s. 13.10.

Note:

Under current law, DWD administers the federal food stamp program, the FSET program and the state food stamp program for qualified immigrants. The motion would transfer these programs from DWD to DHFS effective July 1, 2002. DWD would continue to administer the FSET program through a contract with DHFS.

Under current law, DWD has income maintenance contracts with counties that include food stamps, medical assistance, W-2 or child care. Under the motion, the income maintenance contracts would include food stamps and medical assistance and would be administered by DHFS, effective January 1, 2003. DWD would continue to contract with W-2 agencies and DWD would have a separate contract with counties for child care administration.

Currently, the CARES computer system is housed in DWD. The system is used to determine eligibility for multiple public assistance programs, including food stamps, medical assistance, W-2, child care and other TANF-funded programs. It also performs case management and payment processing functions. The motion would not make any changes to the administration of the CARES computer system.

DWD is currently required to conduct state and local error reduction, overpayment collections and record matching for the food stamp and medical assistance programs. The motion would allow DHFS to either set up its own system to conduct these activities or contract with DWD for these functions. In addition, the Joint Committee on Finance approved statutory changes on May 22, 2001, to provide DWD with the ability to fund food stamp error penalties and food stamp reinvestment activities required by the federal government to reduce payment errors. The motion would provide this new statutory authority to DHFS instead of DWD.

Finally, the motion would not transfer funding and positions as part of the motion. Instead, DWD and DHFS would be directed to submit a proposal to DOA outlining the funding amounts and positions that would be transferred. The motion would direct DOA to report to the Joint Committee on Finance by March 1, 2002, with recommended funding and position transfers. All funding and position transfers and statutory changes would take effect on July 1, 2002.

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 13 NO 3 ABS _____

NATURAL RESOURCES

Village of Whiting Fishing Pier

Motion:

Move to require DNR to provide \$80,000 SEG in 2001-02 from the water resources account of the conservation fund to the Village of Whiting in Portage County for construction of a handicapped-accessible recreational pier on the Plover River.

[Change to Base: \$80,000 SEG]

[Change to Bill: \$80,000 SEG]

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 16 NO 0 ABS _____

NATURAL RESOURCES – DEPARTMENTWIDE

Urban Forestry -- City of Racine

Motion:

Move to earmark \$15,000 annually in the 2001-03 biennium only from the urban forestry grant program for a tree planting demonstration program in the City of Racine.

Note:

The motion would earmark \$15,000 of the \$529,900 provided annually for the urban forestry grant program for the City of Racine. A similar earmark was made in both the 1997-99 and 1999-01 budgets to Greening Milwaukee, a non-profit organization promoting urban forestry in Milwaukee.

MO#			
2	BURKE	Y	N A
	DECKER	Y	N A
	MOORE	Y	N A
	SHIBILSKI	Y	N A
	PLACHE	Y	N A
	WIRCH	Y	N A
	DARLING	Y	N A
	WELCH	Y	N A
	GARD	Y	N A
	KAUFERT	Y	N A
	ALBERS	Y	N A
	DUFF	Y	N A
	WARD	Y	N A
	HUEBSCH	Y	N A
	HUBER	Y	N A
	COGGS	Y	N A

AYE 16 NO 0 ABS _____

HEALTH AND FAMILY SERVICES/VETERANS AFFAIRS

Transfer of Food Service Operation at Southern Wisconsin Center

Motion:

Move to transfer the food service operation at Southern Wisconsin Center for the Developmentally Disabled from the Department of Health and Family Services to the Department of Veterans Affairs, beginning July 1, 2002. Transfer 44.5 PR positions from the Department of Health and Family Services to the Department of Veterans Affairs for this purpose, beginning in 2002-03. Increase funding for the Department of Veterans Affairs by \$2,479,200 PR in 2002-03. Decrease funding for Southern Wisconsin Center by \$1,073,200 in 2002-03.

Note:

Southern Wisconsin Center is located on the same campus with a correctional facility and facilities that have and will be built to provide residential services for Veterans. Currently, the Department of Health and Family Services operates the food program that provides food to all of the facilities located on the campus. The Department of Corrections and the Department of Veterans Affairs pay a contracted amount for the food provided to their facilities, beginning in 2002-03.

This motion would transfer funding and positions from DHFS to Veterans Affairs so that the food operation would be housed in the Department of Veterans Affairs. PR funding for DHFS would be reduced by less than the cost of the transferred positions, since DHFS would need funding to pay contracted amounts for food.

[Change to Bill: \$1,406,000 PR]

TRANSPORTATION

Specific Information Sign in Kenosha County

Motion:

Move to require DOT to erect business signs for Tenuta's Delicatessen and Liquors in the City of Kenosha, upon the receipt of a completed application from this business, on specific information signs at the 52nd Street exit on I-94 in Kenosha County, notwithstanding the current law restrictions for such signs with respect to business requirements for food establishments and distance of the business from the freeway.

Note:

Specific information signs are the blue signs erected on the highway right-of-way indicating the presence of businesses offering gas, food, lodging or camping. In certain locations, qualifying businesses may have a business sign erected on a specific information sign upon the payment of an administrative fee of \$40 for each sign and the payment of a \$40 renewal fee for each sign. Businesses must maintain certain hours of operation and must generally be located within three miles of the highway.

This motion would require DOT to erect business signs for a particular business on I-94 in Kenosha County without respect to whether the business meets the eligibility requirements.

	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
MO#	BURKE	DECKER	MOORE	SHIBILSKI	PLACHE	WIRCH	DARLING	WELCH	GARD	KAUFERT	ALBERS	DUFF	WARD	HUEBSCH	HUBER	COGGS				
	2																			
	AYE <u>16</u> NO <u>0</u> ABS <u>0</u>																			

INSURANCE

Joint Provision of Health Care Benefits for Political Subdivisions

Motion:

Move to incorporate the provisions of LRB draft #2352/3 into the bill.

Note:

Under current law, a city, village, town, county or school district may provide health care benefits to its officers and employees on a self-insured basis, if the plan complies with certain statutory requirements. In addition, two or more counties or two or more school districts, that together have at least 100 employees, may jointly provide health insurance on a self-insured basis to their officers and employees.

This motion would incorporate the provisions of LRB draft #2352/3 to allow any political subdivision (defined as any city, village, town or county) and one or more other political subdivision, that together have at least 100 employees, to jointly provide health care benefits on a self-insured basis. The coverage would be subject to current statutory requirements that apply to self-insured health plans of a city, village or town, and to counties that currently provide joint coverage. The provision would first apply to any city, village, town or county whose employees are covered by a collective bargaining that is in effect on the date of this subsection, upon the expiration, extension, renewal or modification of the agreement.

MC#	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
	BURKE	DECKER	MOORE	SHIBILSKI	PLACHE	WIRCH	DARLING	WELCH	GARD	KAUFERT	ALBERS	DUFF	WARD	HUEBSCH	HUBER	COGGS					
																	AYE	16	NO	0	ABS

REVENUE -- TAX ADMINISTRATION

Department of Revenue Tax Processing

Motion:

Move to require the Department of Revenue to study the feasibility of moving its tax processing activities in Madison to a location in Southwestern Wisconsin and to submit a report to the Governor and Legislature by January 1, 2003.

Note:

This motion would require the Department of Revenue to prepare a report concerning the feasibility of moving its tax processing activities from Madison to Southwestern Wisconsin.

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 16 NO 0 ABS

ADMINISTRATION

Petition for Incorporation as a Fourth Class City

Motion:

Move to authorize residents of towns with a population of at least 6,000 to petition for incorporation as a 4th class city, if all of the following conditions are met: (1) the population of the county in which the town is located exceeds 400,000; (2) the town has an equalized valuation in excess of \$100,000,000; (3) the incorporation petition is signed by 100 or more persons, each an elector and taxpayer of the town, and contains the signatures of at least 50% of the owners of real estate in the town; and (4) the petition is filed with the town clerk and requests submission of the question to the electors of the town.

Note:

Under current law a town with a resident population of at least 5,000 may petition to become a 4th class city only if the town is adjacent to a 1st class city (Milwaukee). The petition must be signed by at least 100 people who are taxpayers and electors of the town. The total signatures must include at least 50% of the owners of real estate in the town requesting submission of the question to the electors of the town.

Under current law, once the petition is filed, a circuit court must determine (among other things) if the proposed municipal boundary is within 10 miles of a 1st, 2nd or 3rd class city, whether the proposed new city is at least 6 square miles in size. Following the court's review, the petition is referred to the Department of Administration, which may approve the proposed incorporation only if it meets the following criteria: (1) the characteristics of the territory are relatively homogenous and compact; and (2) outlying areas of the incorporated area must meet minimum housing unit density of 30 units per quarter section.

In addition, the Department must determine that the incorporation is in the public's interest

after reviewing: (1) whether the present and potential sources of tax revenue are sufficient to defray anticipated governmental costs; (2) the level of governmental services desired or needed by the residents of the territory compared to the level of services offered by the proposed village or city and the level available from a contiguous municipality; (3) the impact, financial and otherwise, upon the remainder of the town from which the territory is to be incorporated; (4) the effect upon the future governmental services both inside the territory proposed for incorporation and elsewhere within the metropolitan community. DOA is required to make an express finding that the proposed incorporation will not substantially hinder the solution of governmental problems affecting the metropolitan community.

DOA must schedule a hearing, if requested by any interested party, on the issue of incorporation. The Department must prepare its findings and determination within 90 days of the court's referral of the petition and must either grant or dismiss the petition. This finding must then be forwarded to the court, which shall dismiss or accept the petition based on the DOA's findings.

This motion would allow residents of the Town of Madison to petition to become a 4th class city.

MO#			
BURKE	Y	<input checked="" type="radio"/> N	A
DECKER	Y	<input checked="" type="radio"/> N	A
MOORE	Y	<input checked="" type="radio"/> N	A
SHIBILSKI	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	A
PLACHE	Y	<input checked="" type="radio"/> N	A
WIRCH	Y	<input checked="" type="radio"/> N	A
DARLING	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	A
WELCH	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	A
GARD	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	A
KAUFERT	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	A
ALBERS	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	A
DUFF	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	A
WARD	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	A
HUEBSCH	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	A
HUBER	Y	<input checked="" type="radio"/> N	A
COGGS	Y	<input checked="" type="radio"/> N	A

AYE 9 NO 7 ABS

TRANSPORTATION

Grant for the Town of Menasha for the Construction of a Recreational Trail

Motion:

Move to require DOT to make a grant of \$25,000 during the 2001-03 biennium to the Town of Menasha from funds appropriated for the local roads improvement program for the construction of a recreational trail along Cold Spring Road. Specify that this grant shall be made before allocating funds under the basic allocation component of the program and shall be made notwithstanding the eligibility requirements under the program.

Note:

The local roads improvement program provides up to 50% of the cost of capital improvements on local roads and streets. This motion would require DOT to make a grant of \$25,000 to the Town of Menasha for the construction of a recreational trail along a road in the town, notwithstanding the eligibility requirements under the program. The estimated cost of the trail is \$56,800.

Under the bill, as previously amended by the Committee, funding for the local roads improvement program would be set at \$22,986,100 SEG in 2001-02 and \$23,945,300 SEG in 2002-03. Of these amounts, DOT would be required to allocate \$7,000,000 annually for discretionary projects for counties, municipalities and towns and would allocate the remaining \$15,986,100 in 2001-02 and \$16,945,300 in 2002-03 for the basic allocation component of the program. This motion would require the grant to the Town of Menasha project to be made before allocating funds to the basic allocation program, reducing the amounts in this component by \$25,000.

MO# _____

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 16 NO 0 ABS _____

ADMINISTRATION

Annexations Involving Town Islands

Motion:

Move to modify the state statute prohibiting annexations by cities and villages where town islands are created by allowing annexations creating town islands if the area annexed is covered by an intergovernmental cooperation contract or a cooperative plan for boundary change. Specify that the provision applies to existing annexations that have not been overturned by a court order.

Note:

Since December 2, 1973, state law (s. 66.0221) has prohibited cities or villages from annexing territory if the annexation creates a town island. A town island is an area in a town that is completely surrounded by a city or village. This motion would allow town islands to be created through annexation if the area annexed is covered by an intergovernmental cooperation contract authorized under s. 66.0301 of the statutes or by a cooperative plan for boundary change under s. 66.0307 of the statutes. The motion would apply both to annexations as of the bill's effective date and to annexations that have occurred previously, but not been overturned by a court order.

The motion would apply to at least one annexation, which involves the City of Menasha. The City annexed property in Calumet County that appears to have created two town islands, in the Towns of Menasha (Winnebago) and Harrison (Calumet). DOA indicates that it did not have oversight regarding the annexation because Calumet County has a population under 50,000. DOT has indicated that the annexation may be invalid due to the prohibition under s. 66.0221. If that is the case, certain expenditures incurred by the City with regard to a road improvement would not be recognized under the general transportation aid formula.

MO# _____

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A

GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 16 NO 0 ABS _____

Enumeration of State Ballad and State Waltz

Motion:

Move to incorporate the provisions of LRBs 0133/1 (Assembly Substitute Amendment ____ to 2001 Assembly Bill 21), enumerating "Oh Wisconsin, Land of My Dreams" as the state ballad and "The Wisconsin Waltz" as the state waltz, into the bill.

Note:

Currently there is a state song, a state dance and 16 state symbols. This motion, which would incorporate LRBs 0133/1 into the bill, would enumerate in the statutes a state ballad and a state waltz, list the author of the music and the words to the music for the state ballad and the state waltz, and require that the Blue Book include information on the state ballad and the state waltz.

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 16 NO 0 ABS _____

SHARED REVENUE AND TAX RELIEF -- PROPERTY TAXATION

Information Displayed on Property Tax Bills

Motion:

Move to require property tax bills to display the property's zoning classification, if the property is real property. Specify that this provision applies to property assessed as of January 1, 2002.

Note:

State law extends zoning authority to towns (s. 60.61), villages (s. 61.35), cities (s. 62.23(7)) and counties (s. 59.69). The motion would require the zoning classifications established under these provisions to be displayed on property tax bills. Currently, state law requires the tax bill to display the following information: (1) the amount of school taxes allocable to the property, net of the school levy tax credit, for the prior year and the current year and the percent change between the years; (2) the amount of gross tax allocable to the property levied by each other taxing jurisdiction for the prior year, the current year and the percent change between the years; (3) the sum of the tax amounts allocated for each taxing jurisdiction, displayed for the prior year and the current year and the percent change between the years; (4) the lottery and gaming credit, if applicable, displayed for the prior year and the current year and the percent change between the years; (5) the net property tax due, displayed for the prior year and the current year and the percent change between the years; (6) the net tax rate after distribution of the school levy tax credit; (7) the description of the property shown on the tax roll or an abbreviation of the description; (8) an indication of whether there are delinquent taxes on the property; (9) a notice of tax credits that may be available to taxpayers (homestead, farmland preservation, farmland tax relief and school property tax); (10) a notice that taxpayers may request a copy of the tax receipt; (11) an explanation of when taxes are due and to whom they must be paid; (12) estimated state aid payments to the county, municipality, school district and technical college district for the prior year and current year; and (13) the assessed and full market values of the property.

MO#

BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 8 NO 8 ABS

NATURAL RESOURCES

Fish Ladder Exemption

Motion:

Move to exempt the City of Jefferson from any requirement that a dam owned by the city be required to install a fish ladder. Further, specify that the city be eligible for a dam safety grant for the dam.

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
LGARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 13 NO 3 ABS _____

Representative Huebsch
Senator Burke
Representative Albers
Senator Welch

COMMERCE -- BUILDING AND ENVIRONMENTAL REGULATION

Fire Safety Staff and Fire Dues

Motion:

Move to make the following changes to previous Joint Committee on Finance action on Motion #117 related to Commerce fire safety staff and fire dues programs:

1. Restore \$463,600 PR annually for 5.0 PR fire safety consultant positions, limited-term employees and fire safety supplies and training funded from the 2% fire dues revenues that are appropriated for Commerce administration of local fire prevention programs and fire dues payments. (These staff and funds were deleted in previous Committee action.)

2. Modify previous Committee action that would have withheld fire dues distribution payments to ineligible fire departments to delete the July 1, 2002, moratorium deadline. (This means that Commerce would be prohibited from withholding fire dues distribution payments to ineligible fire departments until an audit is completed and administrative rule changes go into effect.)

3. In addition to the Motion #117 criteria, specify that before Commerce can resume withholding fire dues distribution payments to ineligible fire departments, administrative rule changes must be written in consultation with representatives of the Wisconsin Fire Service and volunteer fire departments and must be approved by the Joint Legislative Audit Committee before the rule changes go into effect.

4. Specify that when Commerce performs an audit of a fire department's eligibility for fire dues distribution payments, if errors are found, the fire department would have 30 days after the errors are identified to correct the errors. If the fire department corrects the errors within 30 days after they are identified, it would be in compliance with fire dues eligibility requirements.

Note:

The Joint Committee on Finance adopted Motion #117 on May 2, 2001, that would prohibit

Commerce from withholding fire dues distribution payments to ineligible fire departments until the earlier of July 1, 2002, or after the following three things happen: (a) the Joint Legislative Audit Committee requests the Legislative Audit Bureau to conduct an audit of current Commerce administrative rules related to determination of eligibility for fire dues payments; (b) that based on the results of the audit, the Joint Legislative Audit Committee proposes changes to the current rules related to the determination of when a fire department is ineligible for fire dues payments; and (c) rule changes based on Joint Legislative Audit Committee recommendations go into effect. The motion would delete the July 1, 2002, moratorium deadline, so that Commerce would not be allowed to withhold fire dues distribution payments to ineligible fire departments until the three specified actions related to revised administrative rules occur. The motion would also revise action (c) in motion #117 to require that the rule changes must be written in consultation with representatives of the Wisconsin Fire Service and volunteer fire departments and approved by the Joint Legislative Audit Committee before they go into effect.

Motion #117 also deleted base funding of \$463,600 PR annually for 5.0 PR fire safety consultant positions, limited-term employees and fire safety supplies and training funded from the 2% fire dues revenues that are appropriated for Commerce administration of local fire prevention programs and fire dues payments. The motion would restore the funding and positions.

The motion would also provide fire departments with 30 days to correct errors identified in an audit of eligibility for fire dues, and thus to retain compliance with program requirements.

[Change to Motion #117: \$927,200 PR and 5.0 PR positions]

MO#			
2	BURKE	Y	N A
	DECKER	Y	N A
	MOORE	Y	N A
	SHIBILSKI	Y	N A
	PLACHE	Y	N A
	WIRCH	Y	N A
	DARLING	Y	N A
	WELCH	Y	N A
	GARD	Y	N A
	KAUFERT	Y	N A
	ALBERS	Y	N A
	DUFF	Y	N A
	WARD	Y	N A
	HUEBSCH	Y	N A
	HUBER	Y	N A
	COGGS	Y	N A

AYE 16 NO 0 ABS _____

BUILDING PROGRAM

Wausau State Office Facility Study

Motion:

Move to direct the State Building Commission to conduct a study on the feasibility of constructing a state office facility in the Wausau area to consolidate state employee staff. Require that a report on the study's findings and recommendations be submitted to the Legislature by July 1, 2002.

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 16 NO 0 ABS _____

NATURAL RESOURCES - DEPARTMENTWIDE

Wausau Kayak/Canoe Corporation

Motion:

Move to provide \$50,000 SEG in 2001-02 only from the water resources account of the conservation fund to the Wausau Kayak/Canoe Corporation, a non-profit organization, to upgrade the Wausau Whitewater Course on the Wisconsin River in Wausau. Require that the Wausau Kayak/Canoe Corporation provide \$50,000 in matching funds to receive the grant.

Note:

Based on the provisions of SB55 and action by the Joint Committee on Finance to date, the balance of water resources account of the conservation fund is estimated to be \$630,000 on June 30, 2003.

[Change to Base: \$50,000 SEG]
[Change to Bill: \$50,000 SEG]

Table with columns for MO#, names (BURKE, DECKER, MOORE, SHIBILSKI, PLACHE, WIRCH, DARLING, WELCH, GARD, KAUFERT, ALBERS, DUFF, WARD, HUEBSCH, HUBER, COGGS), and three columns of Y/N/A responses.

TRANSPORTATION

Local Roads Improvement Program Funds for Town Roads Damaged by Heavy Truck Loads

Motion:

Move to require DOT to give priority in the town road improvement and discretionary town road improvement components of the local roads improvement program to awarding grants to projects on town roads that have suffered damage caused by heavy truck loads.

Note:

This motion would require DOT to give priority in the town road improvement and discretionary town road improvement components of the local roads improvement program to town roads that have been damaged by heavy truck loads.

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

AYE 14 NO 2 ABS

HEALTH AND FAMILY SERVICES -- MEDICAL ASSISTANCE

Prohibit Use of State Funds For Support of Union or Anti-Union Activities

Motion:

Move to prohibit the use of state funds, including medical assistance (MA) payments provided to nursing home providers, from being used to assist, promote, deter or discourage union organizing. Specify that a nursing home provider that receives MA funds, may not engage in activities to assist, promote, deter or discourage an employee, who provides services directly or indirectly to MA beneficiaries, from union organizing during a time when the employee is regularly scheduled to provide services. Direct the Department of Health and Family Services to accept any complaints from an individual who believes that a provider is expending funds in violation of this provision, and require the Department to notify the provider within one week after receiving the complaint that it must provide records sufficient to show that no state funds were used in violation of the statute within 10 days.

Authorize the Attorney General or any taxpayer to bring a civil action for a violation of this provision for injunctive relief, damages, civil penalties and other appropriate equitable relief. Require that all damages and civil penalties collected be paid to the State Treasury. Require that a taxpayer who wishes to file a civil suit, to first provide written notice to the Attorney General of the alleged violation and his/her intent to bring suit. Specify that such notice cannot be given until 20 days after a complaint is filed with the Department and the notice must include a copy of the complaint filed with the Department and its disposition, if any. Prohibit a taxpayer from bringing a civil action if the Attorney General commences a civil action for the same alleged violation within 60 days of receiving the notice. Allow a taxpayer to intervene as a plaintiff in any civil action. Specify that a prevailing plaintiff would be entitled to recover reasonable attorney's fees and costs. Specify that a prevailing taxpayer intervenor who makes a substantial contribution to an action would be entitled to recover reasonable attorney's fees and costs.

Specify that a provider who uses state funds for union or anti-union activities is liable to the state for the amount of such funds used, plus a civil penalty equal to twice the amount of those funds. Specify that for a nursing home that receives both MA funds and other revenue violates these provisions, the nursing home would be liable for the proportion of the cost of the campaign which represents the proportion of the nursing home's revenues from MA in the fiscal year of the campaign and the civil penalty would not apply. Specify that any individual who knowingly authorizes the use of state funds in violation of the provision would be liable to the state for the amount of those funds. Specify that any individual who knowingly violates the prohibition would be personally liable to the state in the amount of \$1,000 per violation.

Specify that any expense, including legal and consulting fees and salaries of supervisors and employees, incurred for research for, or preparation, planning or coordination of, or carrying out, an activity to assist, promote, or deter union organizing shall be treated as paid or incurred for that activity. The prohibition in this motion would not apply to an activity performed, or to an expense incurred, in connection with any of the following: (1) addressing a grievance or negotiating or administering a collective bargaining agreement; or (2) performing an activity required by federal or state law or by a collective bargaining agreement.

Exempt expenditures made prior to January 1, 2002, or a grant or contract awarded prior to January 1, 2002, unless the grant or contract is modified, extended or renewed after January 1, 2002. Specify that these requirements would not require employers to maintain records in any particular form.

Prohibit any person subject to the provisions from discharging, demoting, threatening or otherwise discriminating against any person or employee with respect to compensation, terms, conditions, or privileges of employment as a reprisal because the person or employer (or any person acting pursuant to the request of the employee) provided or attempted to provide information to the Department or to the Attorney General or his or her designee regarding possible violations. Permit any person or former employee who believes that he or she has been discharged or discriminated against to file a civil action within three years of the date of such discharge or discrimination. Specify that if a court finds by a preponderance of the evidence that a violation of this protection has occurred, the court may grant such relief as it may deem appropriate, including: (a) reinstatement to the employee's former position; (b) compensatory damages, costs and reasonable attorneys fees; and (c) other relief to remedy past discrimination. Exclude from these protections any employee or person who: (a) deliberately causes or participates in the alleged violation or regulation; or (b) knowingly or recklessly provides substantially false information to the division.

Specify that the provisions of this motion are severable. If any one provision is held invalid, in whole or in part, that invalidity shall not affect any other provision that can be given effect.

MO#			
BURKE	Y	N	A
DECKER	Y	N	A
MOORE	Y	N	A
SHIBILSKI	Y	N	A
PLACHE	Y	N	A
WIRCH	Y	N	A
DARLING	Y	N	A
WELCH	Y	N	A
GARD	Y	N	A
KAUFERT	Y	N	A
ALBERS	Y	N	A
DUFF	Y	N	A
WARD	Y	N	A
HUEBSCH	Y	N	A
HUBER	Y	N	A
COGGS	Y	N	A

Health and Family Services

Medical Assistance

Base Agency

(LFB Budget Summary Document: Page 346)

LFB Summary Items for Which Issue Papers Have Been Prepared

<u>Item #</u>	<u>Title</u>
2	Medical Assistance Base Reestimate (Paper #465)
3 (part)	Nursing Home Reimbursement (Paper #466)
3 (part)	Estimated IGT Revenues and Creation of IGT Trust Account (Paper #467)
4	Labor Cost Adjustment for Nursing Home Reimbursement (Paper #468)
5	BadgerCare Funding (Paper #469)
6	BadgerCare Eligibility (Paper #470)
7	Governor's Prescription Drug Assistance Proposal (Paper #471)
8	Rates for Noninstitutional Services (Paper #472)
9 (part)	MA Hospital Payments (Paper #473)
10	Reimbursement Rates for Prescription Drugs (Paper #474)
14	Eligibility for Women Diagnosed with Breast and Cervical Cancer (Paper #475)
17	Treatment of Irrevocable Burial Trusts under MA (Paper #476)
19	Reimbursement for Hearing Aid Services (Paper #477)
20	Provider Fraud and Abuse (Paper #478)
21	Provider Certification Staff (Paper #479)
--	School-Based Health Services (Paper #480)
--	Income Limit for Medically Needy Recipients (Paper #481)

LFB Informational Paper on Prescription Drugs Assistance Program

Prescription Drug Assistance Programs (Paper #482)

Representative Gard
Senator Moore
Senator Plache
Senator Decker
Representative Huebsch

HEALTH AND FAMILY SERVICES -- MEDICAL ASSISTANCE/FAMILY CARE AND
OTHER COMMUNITY-BASED LONG-TERM CARE PROGRAMS

Omnibus Funding Motion

Motion:

Move to modify the bill as follows:

1. **LFB Paper #465 (MA Base Reestimate).** Adopt the modification. Modify funding in the bill by increasing funding by \$31,701,800 GPR and \$91,873,600 SEG and deleting \$82,388,300 FED in 2001-02 and increasing funding by \$17,701,200 GPR and \$102,345,700 SEG and deleting \$46,790,800 FED in 2002-03 to reflect reestimates of the cost to continue the current MA program in the 2001-03 biennium and to reflect the administration's requested revision to this item.
2. **LFB Paper #466 (Nursing Home Reimbursement).** Reduce funding in the bill by \$9,867,700 SEG and \$14,054,000 FED in 2001-02 and by \$10,150,500 SEG and \$14,310,000 FED in 2002-03 to increase the regular per diem rates by 6.00% in 2001-02 and 4.73% in 2002-03, rather than by 8.81% in 2001-02 and 4.73% in 2002-03, as recommended by the Governor. Increase estimated IGT revenues by \$2,810,800 in 2001-02 and \$2,862,000 in 2002-03. Adopt the Governor's recommendation for funding of county supplemental payments by adopting Alternative B1.
3. **LFB Paper #467 (Estimated IGT Revenues and Creation of IGT Trust Account).** Adopt the Governor's recommendations relating to establishing a MA trust fund. However, require DOA to lapse \$108,706,700 of IGT revenue to the general fund on June 30, 2003.
4. **LFB Paper #468 (Labor Cost Adjustment for Nursing Home Reimbursement).** Adopt Alternative 1. Adopt the Governor's recommendation to eliminate the requirement that DHFS establish targets for payment of allowable direct care costs that are adjusted by DHFS for regional labor cost variations.
5. **LFB Paper #469 (BadgerCare Funding).** Adopt the modification under A. Increase funding in the bill by \$1,232,200 GPR, \$2,937,900 FED and \$794,200 PR in 2001-02 and reduce funding by \$102,600 GPR and increase funding by \$191,900 FED and \$893,200 PR in

2002-03 to fund costs for BadgerCare services provided in the 2001-03 biennium.

Adopt Alternative 2B. Maintain the current enrollment trigger, but authorize the Joint Committee on Finance to transfer funds under s. 13.101 of the statutes, from any other GPR appropriation to the BadgerCare appropriation if the Committee determines that funding for BadgerCare is insufficient to fund the benefit costs of the program and: (a) unnecessary duplication of function can be eliminated; (b) more efficient and effective methods of administering programs will result; or (c) legislative intent will be more effectively carried out because of such transfer, and that legislative intent will not be changed as a result of such a transfer. Specify that the Committee does not have to find that an emergency exists to transfer the funding. Maintain the current BadgerCare GPR appropriation as a continuing appropriation.

6. **LFB Paper #470 (BadgerCare Eligibility).** Adopt Alternative A2. Delete the Governor's provision that would require DHFS to request a waiver extending the period of time that a family or child would have to be without health care coverage, rather than access to health care coverage.

Adopt Alternative B3. Delete the Governor's recommendations relating to verification of whether a family or a child has access or has had access to employer-subsidized health care before enrolling the family or child in BadgerCare.

7. **LFB Paper #472 (Rates for Noninstitutional Services).** Adopt Alternative 3. Reduce funding in the bill by \$4,231,900 SEG and \$5,825,200 FED in 2001-02 and \$9,104,200 SEG and \$12,915,200 FED in 2002-03, but adopt the Governor's recommended allocations for this funding (50% would be provided for across-the-board increases in reimbursement rates for noninstitutional providers and 50% would be provided for rate increases targeted to services with reimbursements that represent no more than 50% of charges). Of the funding that would be provided, \$3,903,500 SEG and \$5,559,500 FED in 2001-02 and \$8,397,500 SEG and \$11,838,700 FED in 2002-03 would be budgeted in the MA benefits appropriation. The remainder would be budgeted in the BadgerCare benefits appropriation.

8. **LFB Paper #473 (MA Hospital Payments).** Adopt Alternative A2. Reduce funding in the bill by \$1,927,100 SEG and \$2,648,600 FED in 2001-02 and \$2,102,100 SEG and \$2,858,300 FED in 2002-03 to increase reimbursement rates for outpatient hospital services so that urban hospitals would receive reimbursements estimated at 85% of a hospital's costs for such services, rather than 93% of a hospital's costs, as recommended by the Governor.

Adopt Alternative B2. Reduce funding in the bill by \$670,400 SEG and \$932,500 FED in 2001-02 and \$726,200 SEG and \$999,400 FED in 2002-03 to increase reimbursement rates for outpatient hospital services so that rural hospitals would receive reimbursements estimated at 85% of a hospital's costs for such services, rather than 100% of a hospital's costs, as recommended by the Governor.

Adopt Alternative C1. Require DHFS to allocate a portion of the funding provided to increase outpatient hospital reimbursements, to fund adjustments in HMO payment rates to ensure

that the current payment rate discount is not decreased as a result of the increase in outpatient hospital reimbursements.

Adopt Alternative D1. Authorize DHFS to transfer funding from the MA benefits appropriation to the BadgerCare appropriation in each year of the 2001-03 biennium to ensure that sufficient funding is provided for increased costs in BadgerCare as a result of increases in the reimbursement rate for outpatient hospital services.

Reduce funding in the bill by \$412,500 SEG and \$587,500 FED in 2001-02 and \$415,000 SEG and \$585,000 FED in 2002-03 so that disproportionate share hospital (DSH) allocations would increase by \$3.0 million annually, rather than \$4.0 million annually, as provided in the Governor's bill.

Increase funding in the bill by \$71,000 SEG and \$101,500 FED in 2001-02 and \$74,500 SEG and \$105,600 FED in 2002-03 to reflect an increase in the supplemental hospital payment for hospitals participating in the MA managed care initiative. This increase would be a one-time increase in the 2001-03 biennium only.

9. **LFB Paper #474 (Reimbursement Rates for Prescription Drugs).** Adopt Alternative 3. Increase funding in the bill by \$1,198,900 GPR and \$1,637,800 FED in 2001-02 and \$3,277,400 GPR and \$4,619,300 FED in 2002-03 to decrease the MA reimbursement rate for brand name prescription drugs from AWP-10% to AWP-12.5%, rather than AWP-15%, as recommended by the Governor.

10. **LFB Paper #475 (Eligibility for Women Diagnosed with Breast and Cervical Cancer).** Adopt Alternative 2. Approve the Governor's recommendations, but reduce funding in the bill by \$4,900 GPR and \$4,900 FED in 2001-02 and \$92,000 GPR and \$195,400 FED in 2002-03 to reflect the estimated benefit costs of expanding MA to cover certain women diagnosed with breast or cervical cancer. This alternative would not provide funding for county administrative costs associated with determining eligibility for MA.

In addition, specify that a women is eligible for MA if a provider, certified to determine presumptive eligibility, determines, based on preliminary information, that the woman would meet the criteria for MA eligibility for women diagnosed with breast or cervical cancer and not otherwise eligible for MA. Establish presumptive eligibility procedures for this population that are consistent with current provisions relating to presumptive eligibility procedures for pregnant women under MA.

11. **LFB Paper #476 (Treatment of Irrevocable Burial Trusts under MA).** Adopt Alternative 5. Delete the Governor's provision to increase the maximum amount of an irrevocable burial trust that may be excluded from an MA applicant's countable assets, from \$2,500 to \$3,300, which would first apply to burial trust agreements entered into on January 1, 2003. Reduce funding in the bill by \$207,800 GPR and \$293,800 FED in 2002-03.

12. **LFB Paper #477 (Reimbursement for Hearing Aid Services).** Adopt Alternative

2. Increase funding in the bill by \$128,200 SEG and \$180,300 FED in 2002-03 to provide a 30% increase in the reimbursement rates for hearing aids and a 15% increase in reimbursement rates for hearing aid-related services.

13. **LFB Paper #478 (Provider Fraud and Abuse).** Adopt Alternative 3. Increase funding in the bill by \$86,600 GPR and \$120,900 FED in 2002-03 and delete all of the provisions in the bill relating to this item.

14. **LFB Paper #479 (Provider Certification Staff).** Adopt Alternative 3. Delete provision. Reduce funding in the bill by \$72,300 GPR and \$72,300 FED in 2002-03 and delete 2.0 positions (1.0 GPR position and 1.0 FED position) in 2002-03.

15. **LFB Paper #480 (School-Based Health Services).** Adopt the modification. Increase estimated revenues to the general fund by \$5.9 million annually to reflect a reestimate of MA reimbursement for school-based health services.

16. **LFB Paper #481 (Income Limit for Medically Needy Recipients).** Adopt Alternative 2. Increase MA benefits funding by \$500,800 GPR and \$706,000 FED in 2002-03 to begin increasing the AFDC standard by the increase in the CPI in the prior year, beginning on January 1, 2003.

17. **LFB Paper #520 (Family Care Funding and Ombudsman Services).** Under A, adopt the modification. Delete \$1,428,100 GPR and \$47,400 FED in 2001-02 and delete \$1,519,500 GPR and provide \$2,056,200 FED in 2002-03 to reflect a reestimates of the costs of Family Care in the 2001-03 biennium.

Adopt Alternative B1. Increase funding in the bill by \$3,032,100 GPR and \$8,202,000 FED in 2002-03 to establish a new CMO site in Kenosha County, beginning on July 1, 2002.

Adopt a modified Alternative C4 to increase funding in DHFS for MA administration by \$250,000 GPR and \$250,000 FED in 2001-02 and \$275,000 GPR and \$275,000 FED in 2002-03 and provide \$500,000 PR in 2001-02 and \$550,000 PR in 2002-03 and 1.0 PR position for the Board on Aging and Long-Term Care to retain base funding, with an inflation adjustment, and positions for Family Care external advocacy services.

Provide \$700,000 GPR and \$700,000 FED in 2002-03 for developmental funds for expanding Family Care into other counties in the 2003-05 biennium.

Provide \$5,000 GPR annually to restore funding for the Wisconsin Council on Long-Term Care, and extend the current sunset date for the Council to June 30, 2003.

18. **LFB Paper #521 (COP and Other Community-Based Long-Term Care Programs).** Approve the Governor's recommendation to fully fund COP slots that were created in 2000-01 by adopting Alternative A1. Also, approve the Governor's recommendation to fund 60

new CIP IB slots and 686 CIP II slots in 2001-02 by adopting Alternative B1.

Provide \$1,898,600 GPR and \$2,090,800 FED in 2001-02 and \$5,296,800 GPR and \$7,498,900 FED in 2002-03 to fund 388 new CIP IB slots in 2001-02 and another 300 CIP IB slots in 2002-03 at an enhanced reimbursement rate of \$65 per day.

Provide \$1,000,000 GPR and \$1,424,200 FED in 2001-02 and \$1,500,000 GPR and \$2,114,700 FED in 2002-03 to increase reimbursement rates as follows: (a) for CIP II, an increase from \$40.78 per day to \$41.86 per day in 2001-02 and \$42.23 per day in 2002-03; and (b) for CIP IB, an increase from \$48.33 per day to \$49.67 per day in 2001-02 and \$50.33 per day in 2002-03.

Provide \$2,851,300 GPR and \$3,003,600 FED in 2001-02 and \$7,147,300 GPR and \$8,756,400 FED in 2002-03 to provide 1,000 additional COP-W slots in 2001-02 and an additional 960 COP-W slots in 2002-03.

Adopt Alternative E2. Delete \$986,500 GPR and \$1,405,100 FED in 2001-02 and \$4,406,100 GPR and \$6,211,600 FED in 2002-03 to increase total funding for the PACE/WPP programs by 8% in each year of the biennium, rather than 13.0% in 2001-02 and 22.8% in 2002-03, as recommended by the Governor as part of the MA base reestimate.

19. **MA Case Management for Children with Asthma.** Provide \$150,000 GPR annually for DHFS to provide as grants to public health departments in Milwaukee County to serve as the state match for federal medical assistance funds to support case management services for children with asthma. Increase MA benefits funding by \$213,600 FED in 2001-02 and \$211,500 FED in 2002-03 to reflect additional MA claiming for these case management services.

20. **Rural Dental Health Clinic.** Provide \$618,000 GPR in 2001-02 and \$232,000 GPR in 2002-03 to fund a rural dental health clinic in Ladysmith in Rusk County.

21. **Children's Vision Initiative.** Require all children entering public kindergarten to provide evidence that they have had an eye examination performed by a person licensed to practice optometry or medicine. The eye exam would be required to include: (a) a brief history of general and eye health for the child and family; (b) general external observation of the child's eyes and surrounding structures; (c) examination of the inside of the eye through an undilated pupil; (d) gross measurement of peripheral vision; (e) evaluation of eye coordination and function; and (f) visual acuity for each eye.

Specify that students who are in financial need and do not have health care insurance coverage for eye exams, through private insurance or public sector health plans, could receive exams at no cost from local optometrists, ophthalmologists and other medical doctors who have agreed to provide the exams at no cost, under the program.

Specify that evidence of an exam would be required to be provided to the child's school district no later than December 31 of their first year of attendance, beginning with the 2002-03



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

June 4, 2001

Joint Committee on Finance

Paper #465

Medical Assistance Base Reestimate (DHFS-- Medical Assistance)

[LFB 2001-03 Budget Summary: Page 349, #2]

CURRENT LAW

In 2000-01, \$993,762,200 GPR and \$1,860,785,500 FED is budgeted to fund the costs of medical assistance (MA) benefits.

GOVERNOR

Increase MA benefits funding by \$244,040,900 (\$79,909,200 GPR and \$164,131,700 FED) in 2001-02 and \$338,154,400 (\$113,639,200 GPR and \$224,515,200 FED) in 2002-03 to reflect estimates of the amount of additional funding that will be required to support MA benefits in the 2001-03 biennium under current law.

DISCUSSION POINTS

1. The MA base reestimate projects the cost to continue MA benefits under current eligibility rules, program restrictions and provider rates, except that capitation increases for health maintenance organizations are included in this item. This item would provide funding to support the estimated costs of providing a 3% rate increase for the last six months in calendar year 2001, a 3.7% rate increase in 2002, and a 4.2% rate increase for the first six months of calendar year 2003. In addition, this item includes increases to the rates budgeted in Act 9 for care management organizations that provide services under Family Care.

2. The current estimate incorporates additional data on caseload and utilization trends and new information on future FFP rates that was not available at the time the Governor's budget

was developed. The reestimate is based on a review of actual spending through March, 2001, for each MA service category, as well as caseload data for each MA eligibility group. In addition, historical changes in the average cost of services were reviewed through the second quarter of 2000-01. This information was used to project the average cost of services per eligible in the 2001-03 biennium.

3. The following table identifies current projections for MA caseload and projected changes in the average costs of services per recipient for the 2001-03 biennium.

MA Caseload Reestimate

Category	Actual 1999-00	Projected			Percent Change From Previous Year		
		2000-01	2001-02	2002-03	2000-01	2001-02	2002-03
Aged	45,309	43,959	42,251	40,793	-3.0%	-3.9%	-3.5%
Disabled	97,815	97,473	97,325	97,306	-0.3	-0.2	-0.0
AFDC	144,024	145,614	148,846	152,280	1.1	2.2	2.3
Other*	<u>117,183</u>	<u>133,562</u>	<u>143,987</u>	<u>154,044</u>	<u>14.0</u>	<u>7.8</u>	<u>7.0</u>
Total	404,331	420,608	432,409	444,423	4.0%	2.8%	2.8%

*Includes participants in waiver programs and the Healthy Start population.

Projected Annual Changes in Average Per Recipient Costs

Service	2001-02	2002-03
Dental	12.5%	6.1%
Durable Medical Equipment and Supplies	4.3	3.1
Drugs	15.8	12.5
Transportation -- Emergency	7.3	6.9
Family Planning	-5.0	-1.6
Home Health Services	6.5	4.8
Inpatient Hospital Services	3.3	2.9
Laboratory and X-rays	5.0	5.0
Medicare Crossovers - Part A	3.4	2.5
Medicare Crossovers - Part B	5.2	2.6
Mental Health	20.4	14.7
Transportation -- Nonemergency	-0.7	-3.7
Outpatient Hospital	3.0	4.2
Outpatient Hospital -- Psychiatric	5.8	3.0
Personal Care	6.1	5.8
Physicians	0.1	1.9
Therapies	-1.0	-0.2
Other	9.2	9.4

4. Two important factors affecting MA costs are reflected in these tables. First, the previous trend of a declining caseload, from 488,244 MA eligibles in 1994-95 to 397,534 MA-eligibles in 1998-99, has ended. Total caseload had been increasing during the last 22 months and is projected to continue to increase at a rate of 2.8% per year, primarily due to projected increases in the number of individuals who will meet MA Healthy Start eligibility criteria.

5. The second factor contributing to increasing MA costs is spending for prescription drugs. Gross drug expenditures are projected to total \$362 million in 2000-01. In the two previous fiscal years, the average cost of drugs per elderly and disabled recipient increased at an average annual rate of 23%. As indicated in the table above, the average drug costs per recipient is expected to increase by 15.8% in 2001-02 and 12.5% in 2002-03. This factor alone will increase MA costs by \$57 million in 2001-02 and an additional \$52 million in 2002-03.

6. The federal financial participation (FFP) rate will decrease from 59.1625% in state fiscal 2000-01 to 58.75% in state fiscal year 2001-02 and is expected to decrease to 58.5025% in state fiscal year 2002-03.

7. Based on these caseload and intensity projections and FFP rates, funding in the bill needs to be increased by \$56,893,800 (\$31,701,800 GPR and \$45,082,800 FED) in 2001-02 and \$37,658,600 (\$17,701,200 GPR and \$19,957,400 FED).

The major factor contributing to the increase over the Governor's funding level is that the projected caseload growth is higher than under the Governor's projection, including caseload for the 2000-01 fiscal year. Almost half of the additional funding needed in 2001-02 is needed to support an anticipated deficit in 2000-01. Expenditures related to 2000-01 can be deferred, but additional funding will be needed in 2002-03 to fund these deferred expenditures.

8. The administration has requested a modification to this item in the Governor's bill to reflect the Governor's proposal to establish a segregated medical assistance trust fund. Under the Governor's budget, all additional federal matching funds related to unreimbursed expenditures of county- and municipal-owned nursing homes (IGT revenues) would be deposited in a medical trust account. The MA base reestimate includes of \$91,873,600 FED in 2001-02 and \$102,345,700 FED in 2002-03 of IGT revenue to offset the GPR costs of MA payments to nursing homes. If IGT funds are placed in a MA trust account, the use of these funds should be specified as SEG expenditures, rather than FED. Although the Governor's proposal to establish the segregated trust fund is discussed in LFB Paper #467, the change recommended by the administration has been incorporated into the modification.

MODIFICATION

Modify funding in the bill by increasing funding by \$31,701,800 GPR and \$91,873,600 SEG and deleting \$82,388,300 FED in 2001-02 and increasing funding by \$17,701,200 GPR and \$102,345,700 SEG and deleting \$46,790,800 FED in 2002-03 to reflect reestimates of the cost to continue the current MA program in the 2001-03 biennium and to reflect the administration's requested revision to this item.

Modification	GPR	FED	SEG	TOTAL
2001-03 FUNDING (Change to Base)	\$242,951,400	\$259,467,800	\$194,219,300	\$696,638,500
[Change to Bill]	\$49,403,000	-\$129,179,100	\$194,219,300	\$114,443,200

Prepared by: Richard Megna