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☞ Details: Audit requests, 2006

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Joint

(Assembly, Senate or Joint)

Committee on Audit...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

JAN 03 2006



WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

January 3, 2006

The Honorable Carol Roessler, Co-Chair
Joint Committee on Audit
Room 8 South, State Capitol
Madison, WI 53703

The Honorable Sue Jeskewitz, Co-Chair
Joint Committee on Audit
Room 314 North, State Capitol
Madison, WI 53703

Dear Co-Chairs Roessler and Jeskewitz:

We respectfully request that the Joint Committee on Audit conduct an audit of Wisconsin's wetlands permitting and mitigation programs. The audit should include a comparison of Wisconsin's wetlands designation and permitting processes to similar programs in the state of Minnesota, as well as internal review of processes utilized by the Wisconsin Department of Natural Resources (DNR) by comparing process efficiency in three or more of its regions.

The people of Wisconsin and Minnesota value their wetlands for the role they play in conserving wildlife and fish habitat, maintaining floral diversity and providing flood protection. Both states are proud of their natural environments, and each is dedicated to protecting those resources for generations to come through its public policies.

The audit we propose affords the opportunity for a side-by-side review of the two states' programs to determine how they compare in balancing the need for wetlands preservation with responsible economic development. A comparison of each state's laws, policies and procedures regarding wetlands permitting and mitigation standards will provide valuable information for Wisconsin policymakers and program administrators.

We ask that the Audit Bureau include in its examination the following aspects of Minnesota's programming:

- Wetlands classification, mapping and delineation: We understand that both states utilize qualified private sector professionals to review and map wetlands throughout the state. Please review and compare the two state's processes in this area, and the efficiency of the two systems.
- Mitigation ratios: Please review and compare each state's use of mitigation ratios. In addition, we would appreciate an examination of Wisconsin's use of ratios and comparison between DNR regions.
- Use of credits: It's our understanding that Minnesota law includes incentives that promote better overall habitat creation or restoration. We would appreciate a review of Minnesota's system and a comparison to similar provisions in Wisconsin law, rules or policy.

- Permitting rates: Please compare the number of wetland permits requested and granted in the two states annually, for the past ten years.

As a final aspect of the audit, we ask for a review of administrative procedures between the various Wisconsin DNR regions to determine efficiency, efficacy and consistency of processing and decision-making relating to wetlands permit issuance. This should include:

- A review of three DNR regions handling of wetlands permit requests, comparing the West-Central region and two others and including at least the following factors:
 - The number of applications received and number approved over a given time period;
 - A comparison of the length of time, number of steps and amount and type of information required for approval;
 - Frequency and manner of communication with applicants during the course of approval; and
 - The amount of wetlands affected.

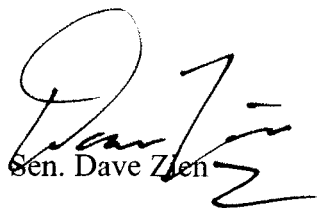
Wisconsin and Minnesota both place a high priority on building a stable economy and protecting the natural beauty of our environment, and our shared values give us an excellent opportunity to learn from each other. A careful review of Minnesota's methods will provide a wealth of information and ideas for Wisconsin policymakers for review of our own wetlands protection efforts.

Thank you for your consideration of this request. We stand ready to answer any questions you or committee members have regarding this proposed audit.

Sincerely,



Sen. Ron Brown



Sen. Dave Zien



Senator Sheila Harsdorf



Rep. Barbara Gronemus



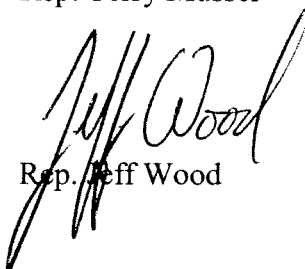
Rep. Terry Musser



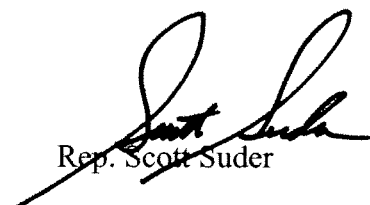
Rep. Mark Pettis



Rep. Robin Kreibich



Rep. Jeff Wood



Rep. Scott Suder



Rep. Terry Moulton



WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

FOR IMMEDIATE RELEASE
January 3, 2006

For More Information, Please Contact:
Sen. Ron Brown: (877) 763-6636
Sen. Dave Zien: (888) 437-9436

Area Legislators Seek Wetlands Review

Request Legislative Audit Comparing Wisconsin and Minnesota Laws, Procedures

(Madison) Recent permitting struggles and continued concerns over administrative efficiency have prompted west central Wisconsin legislators to issue a bipartisan request today for an audit of Wisconsin's wetlands programs. Spurred by feedback from local environmental professionals and businesses, the audit calls for a review of Wisconsin permit processes, and a comparison of Wisconsin and Minnesota's wetlands permitting and mitigation programs.

The lawmakers noted that Wisconsin and Minnesota each have programs in place to protect their states' natural environment while growing a health economy. The two priorities must coexist and each goal can be accomplished successfully. The audit is intended to review and compare each state's programs to measure successes in balancing those priorities.

"Wisconsin's environment is a treasure that must be protected," said Sen. Ron Brown (R-Eau Claire). "After hearing comments on the effectiveness of Minnesota's programs, it's time we take an unbiased view of our efforts to see if we're as successful as we could be, or if there are better models we can adapt for use here."

"Wisconsin has to do a better job promoting a business friendly atmosphere that will create new jobs," said Sen. Dave Zien (R-Eau Claire). "We can take a look to our neighboring state and learn how Minnesota's permitting process has fostered job growth."

Brown spearheaded the audit request after discussions with colleagues reinforced concerns expressed to him by professionals throughout west central Wisconsin. "I keep hearing concerns about our own programs, especially how we compare with Minnesota," he said. "Minnesotans value their natural resources as we do, and they've developed programs that protect their environment while meeting their economic development goals," Brown said. "If we can borrow upon that success for use here in meeting our goals of responsible development, we should take advantage of that opportunity."

Brown observed that concern about Department of Natural Resources (DNR) processes continues to rise based on contacts to area legislators by companies looking to locate or grow in Wisconsin. These concerns have even led the state Senate to establish a Select Committee on DNR Regulatory Reform to gather public comment and formulate recommendations. "A Legislative Audit will be the perfect complement to these efforts," Brown said.

The attached letter signed by ten area legislators has been forwarded to the Legislature's Joint Committee on Audit for review and consideration.

#



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

January 5, 2006

Senator Ron Brown
409 South, P.O. Box 7882
Madison, WI 53707

Dear Senator Brown:

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

Each request submitted receives serious consideration. As conscientious legislators, we all welcome new ways to do things less expensively or more efficiently. We, as co-chairs of the committee, aim to meet once a month to discuss all requests. Shortly after the meeting, one of us will follow-up with you directly to let you know the status of your request.

Thank you again for your request and we will be in touch soon.

Sincerely,

Senator Carol Roessler
Co-chairperson
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz
Co-chairperson
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

January 5, 2006

Senator Dave Zien
15 South, P.O. Box 7882
Madison, WI 53707

Dear Senator Zien:

Dave

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

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Thank you again for your request and we will be in touch soon.

Sincerely,

Carol Roessler

Senator Carol Roessler
Co-chairperson
Joint Legislative Audit Committee

Suzanne Jeskewitz

Representative Suzanne Jeskewitz
Co-chairperson
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

January 5, 2006

Senator Sheila Harsdorf
131 South, P.O. Box 7882
Madison, WI 53707

Dear Senator Harsdorf:

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

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Sincerely,

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Co-chairperson
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz
Co-chairperson
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

January 5, 2006

Representative Barbara Gronemus
114 North, P.O. Box 8952
Madison, WI 53708

Dear Representative Gronemus:

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

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Senator Carol Roessler
Co-chairperson
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz
Co-chairperson
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

January 5, 2006

Representative Terry Musser
11 West, P.O. Box 8953
Madison, WI 53708

Dear Representative Musser:

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

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Joint Legislative Audit Committee

Representative Suzanne Jeskewitz
Co-chairperson
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

January 5, 2006

Representative Mark Pettis
20 North, P.O. Box 8953
Madison, WI 53708

Dear Representative Pettis:

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

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Sincerely,

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Joint Legislative Audit Committee

Representative Suzanne Jeskewitz
Co-chairperson
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

January 5, 2006

Representative Robin Kreibich
107 West, P.O. Box 8952
Madison, WI 53708

Dear Representative Kreibich:

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

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Sincerely,

Senator Carol Roessler
Co-chairperson
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz
Co-chairperson
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

January 5, 2006

Representative Jeff Wood
7 North, P.O. Box 8953
Madison, WI 53708

Dear Representative Wood:

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

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Co-chairperson
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz
Co-chairperson
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

January 5, 2006

Representative Scott Suder
21 North, P.O. Box 8953
Madison, WI 53708

Dear Representative Suder:

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

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Co-chairperson
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz
Co-chairperson
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

January 5, 2006

Representative Terry Moulton
5 North, P.O. Box 8953
Madison, WI 53708

Dear Representative Moulton:

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

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Sincerely,

Senator Carol Roessler
Co-chairperson
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz
Co-chairperson
Joint Legislative Audit Committee

Eau Claire Leader-Telegram January 5, 2006

Lawmakers: Audit of wetlands would clarify permit process

By Christena T. O'Brien
Leader-Telegram staff

Ten legislators want an audit of the state's wetland programs.

In a letter to the co-chairwomen of the Joint Committee on Audit, the lawmakers also asked for a comparison of Wisconsin's and Minnesota's wetlands permitting and mitigation programs.

"Wisconsin's environment is a treasure that must be protected," said Sen. Ron Brown, R-Eau Claire. "It's time we take an unbiased view of our efforts to see if we're as successful as we could be or if there are better models we can adopt for use here."



Brown

■ Friday's Leader-Telegram will have a story on the Senate Select Committee on DNR Regulatory Reform's meeting Thursday in Cadott.

Brown said he requested the audit after discussions with colleagues reinforced concerns he heard from professionals throughout west-central Wisconsin.

Sen. Sheila Harsdorf, R-River Falls, and Sen. Dave Zien, R-Eau Claire, also signed the letter, along with Reps. Barbara Gronemus, D-Whitehall; Rob Kreibich, R-Eau Claire; Terry Moulton, R-Chippewa Falls; Terry Musser, R-Black River Falls; Mark Pettis, R-Hertel; Scott Suder, R-Abbotsford; and Jeff Wood, R-Chippewa Falls.

"Wisconsin has to do a better job promoting a business-friendly atmosphere that will create new jobs," said Zien, who tried to ease a wetlands

dispute between the DNR and Menards in 2005.

Menards wants to build a storage facility near its town of Union headquarters. Menards officials said the building site was a cornfield, but the DNR and environmentalists said the site contained two small wetlands that flood each spring.

DNR Secretary Scott Hassett said in a letter to the Leader-Telegram that the agency hasn't heard from Menards since a May 2005 meeting.

Gronemus said it's important to make sure wetlands are used appropriately, but the DNR's interpretation of wetlands is sometimes confusing.

"Sometimes when you go out and look at these sites, ... you are going, 'Where (is the DNR) coming from,'" Gronemus said.

O'Brien can be reached at 830-5838, (800) 236-7077 or christena.obrien@ecpc.com.

Asbjomson, Karen

From: Wagner, Mike
Sent: Thursday, January 19, 2006 9:51 AM
To: Asbjomson, Karen
Subject: Dude, you got a phone call

Erin O'Brian
250-9971
Wetlands Association
erin@wiscwetlands.org

Pending status.

When are you going to consider the audit request from Northern legislators re: wetlands?

Mike Wagner
Office of Sen. Carol Roessler
608-266-5300

Handwritten notes (rotated):
Wagner, Mike
Asbjomson, Karen
Dude, you got a phone call
2/2/06
Erin
Wagner
Asbjomson, Karen
Dude, you got a phone call
2/2/06



VA

222 S. Hamilton St. #1 Madison, WI 53703

Phone: (608) 250-9971 Fax: (608) 287-1179

www.wiscwetlands.org

FEB 23 2006

February 21, 2006

Joint Committee on Audits
c/o Senator Carol Roessler
Room 8 South, State Capitol
P.O. Box 7882
Madison 53707-7882

Dear Senator Roessler,

In light of recent correspondence from 10 West-Central legislators calling for an audit of Wisconsin's wetland regulatory program, including a comparison to Minnesota's regulatory program, we thought the enclosed article on the effectiveness of wetland protection programs in Minnesota would be germane to your committee's consideration of the wetland audit request.

A comparison of Wisconsin's and Minnesota's wetland regulatory programs may well be a useful inquiry; however, we believe it would be important to examine not only the policies and practices that govern these programs, but the subsequent ecological wetland impacts (loss and degradation).

The Wisconsin Wetlands Association (WWA) is dedicated to the protection, restoration and enjoyment of wetlands and associated ecosystems through science-based programs, education and advocacy. WWA is a non-profit 501(c)(3) organization representing more than 1,000 wetland professionals and enthusiasts.

We hope that you and the other members of the Joint Committee on Audits will consider us a resource as you deliberate on whether to refer this request to the Legislative Audit Bureau and in subsequent scoping discussions should this inquiry move forward. I can be reached at 608-250-9971 if you have any questions about our organization or our interests in the proposed wetland audit.

Sincerely,

A handwritten signature in cursive script that reads 'E. O'Brien'.

Erin O'Brien
Wetland Policy & Conservation Specialist

cc: Todd Ambs, WDNR
Becky Abel, Wisconsin Wetlands Association

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St. Paul Pioneer Press (MN)

February 2, 2006

Section: Main

Edition: St. Paul

Page: A1

WETLANDS PROTECTIONS ARE FAILING, REPORT SAYS

ENVIRONMENTAL GROUP CALLS ON STATE TO STEM STEADY LOSSES

DENNIS LIEN

Pioneer Press

Federal and state laws intended to protect **wetlands** in Minnesota often don't work properly, resulting in the continued loss of these ecologically valuable swamps and marshes, a prominent environmental organization charged Wednesday.

The reason? A byzantine and bewildering set of protections rife with loopholes and exemptions, inadequate enforcement and outdated and mismatched regulations, according to a report to be released today.

"You put all of those together and you've got a regulatory framework for **wetlands** that isn't working as intended," said Janette Brimmer, legal director of the St. Paul-based Minnesota Center for Environmental Advocacy and the report's lead author.

The report was done as a follow-up to last April's Ducks, **Wetlands** and Clean Water Rally at the state Capitol and was released before Saturday's **Wetland** Summit in Bloomington.

The document, called the First Annual Minnesota **Wetlands** Protection Report, doesn't break new ground regarding how many **wetlands** have been lost or restored in Minnesota.

Instead, it identifies the many ways **wetland** losses occur and recommends measures to stem those losses. It concluded the primary causes are:

– Too many exemptions in **wetland** protection laws. Minnesota's 1991 **Wetland** Conservation Act, for example, contains a large number of exemptions that allow draining, filling or alteration of

wetlands. Designed to achieve no net loss of **wetlands**, the law requires that for every acre of **wetland** destroyed, a replacement acre, and sometimes two, be created.

– Inadequate enforcement of laws. The report cited weak enforcement of federal laws, weak enforcement of entitlement to state exemptions and a general lack of resources. The Minnesota Department of Natural Resources, for example, only has five conservation officers designated as **wetland** specialists.

– Complicated, outdated and mismatched laws and rules. It reported state and federal laws are often confusing and promote disagreements among agencies.

The report recommended several steps to improve the situation. They include:

- Limiting exemptions allowed under the state's **Wetland** Conservation Act.
- Improving enforcement, including establishing a **wetlands** SWAT team that could investigate violations and enforce laws.
- Giving the public more authority to take legal action on **wetlands** issues.
- Requiring reporting on **wetland** protection, including an annual Governor's State of Our **Wetlands** Report.

Dave Weirens, land and water section manager at the state Board of Water and Soil Resources, said **wetland** laws in Minnesota work better than depicted in the report. His agency oversees local administration of the state **Wetland** Conservation Act.

"If you look at the fact that regulated impacts are more than offset by the amount of replacement **wetlands**, we think the law is performing as drafted," he said.

Not only did Weirens contend local governments do a good job of administering **wetland** laws, but he said his agency works with the federal government to make state and federal laws mesh better.

He said, however, that his agency would begin an assessment of the state **wetlands** act this month. "We'll be looking at some of the issues in the report," Weirens said.

Wetlands, which are known to reduce flooding, filter water impurities and provide wildlife habitat, have attracted increased attention in recent years, in part because of relatively low duck populations. Ducks count on **wetlands** for food, rest during migration, breeding and rearing locations, and protection from predators.

During the past century, Minnesota has lost 50 percent of its **wetlands**; in heavily farmed areas, more than 90 percent of **wetlands** are gone.

The state has acknowledged at least 3,167 acres were lost as part of regulatory processes between 1999 and 2003. Unrelated efforts such as the state's Reinvest in Minnesota program and the federal Conservation Reserve Program, meanwhile, have restored hundreds of thousands of acres. There's no good estimate for how many acres have been drained illegally or rendered ineffective through isolation or fragmentation.

"Everybody seems to agree acreage continues to be lost, but the pace has slowed," Brimmer said.

The report, she said, grew out of last year's duck rally on the Capitol steps that attracted more than 5,000 people.

"We thought things were happening on the landscape that we don't know about," Brimmer said. "We said, 'Let's get a bunch of people out on the landscape to tell us about **wetlands**.' Those **wetlands** stories bore out under investigation."

The two co-chairs of a follow-up duck rally in April said they believe the report will play a key role in efforts to improve statewide duck habitat.

"It's timely, it's important, I think it's a good piece of work," said David Zentner of Duluth, past national president of the Izaak Walton League, a conservation group. "It is an excellent job of putting together why we're in the trouble we're in."

"We think it's an important work showing some of the loopholes in the current **wetlands** law," said Lance Ness, president of the Fish & Wildlife Legislative Alliance.

Brimmer, Zentner and Ness said some changes could be made within various **wetlands** protection agencies. But other changes would require legislative action, an uncertain proposition in the session that begins next month.

"In this short session, it's going to be difficult to do any real in-depth adjustments or changes," Ness said. "Also, we're being told, 'Please, don't bring up **wetlands** right away.'"

"We don't want to do anything frivolous or haphazard. So, will something happen this year? It's unlikely. Next year is more likely."

Dennis Lien can be reached at dlien@pioneerpress.com or 651-228-5588.

Wetlands loss: an example

A **wetlands** report released today outlines nine case studies that illustrate how laws and enforcement problems contribute to **wetland** destruction and loss. Following is one example that the report said shows what can happen with inadequate coordination and imprecise enforcement of drainage-law exemptions.

– In 2001, Douglas County proposed repairing a county ditch that had been built in 1904 and last maintained in 1925.

– A branch of the ditch, which had filled with silt, sediment and debris, cut through a corner of a federally owned Waterfowl Production Area.

– Local conservation officials chose not to require any mitigation for the project because no more than one foot of sediment would be removed from the ditch and they determined there would be no impact on 10 **wetlands** located along the ditch.

– Those officials, however, failed to address a key element of the project – a decision to lower a culvert at the end of one **wetland** by 1.38 feet.

– That resulted in the water level of a larger area being lowered last fall and is expected to result in the loss of at least 25 acres of high-quality **wetlands** on the federal property.

The report will be available after 9 a.m. today at the Minnesota Center for Environmental Advocacy's Web site: www.mncenter.org.

– Dennis Lien

Map: Pioneer Press

Wetland loss by county

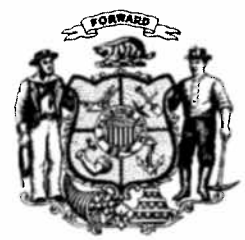
Minnesota has lost 50 percent of its **wetlands** to drainage and development this past century. In agricultural areas, the loss is more than 90 percent.

- Percent of **wetlands** remaining

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WISCONSIN STATE LEGISLATURE



JAN 30 2006

Alberta Darling
Wisconsin State Senator
Joint Committee on Finance

January 27, 2006

Honorable Senator Carol Roessler
Co-Chair, Joint Audit Committee
8 South, State Capitol

Honorable Representative Suzanne Jeskewitz
Co-Chair, Joint Audit Committee
314 North, State Capitol

Dear Chairpersons:

Thank you for our recent conversations regarding the W-2 program. As you know, I have had longstanding concerns related to accountability and oversight of the W-2 contracts. In order to ensure these W-2 funds are accountable to the citizens they serve, as well as the taxpayers who fund them, I believe strong and continued state oversight is crucial.

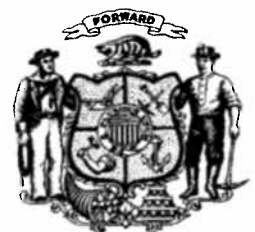
I am following up on our conversations with a formal request for an additional hearing to the one you conducted in April 2005. Given DWD's past performance in contract oversight, I am especially concerned about its ability to monitor the larger number of contractors created under the recently announced W-2 changes. Specifically, the hearing should address concerns related to:

- the appropriateness of the RFP process;
- the criteria used in selecting W-2 contractors;
- the adequacy of W-2 agency performance standards; and
- strategies to improve accountability and contract oversight.

I appreciate all the work you have already done on these matters, but I believe it is important for Secretary Gassman to respond to these important concerns. I would appreciate this addressed as promptly as possible.

Sincerely,


ALBERTA DARLING
State Senator





John Gard

Speaker of the Assembly

January 30, 2006

Senator Carol A. Roessler and
Representative Suzanne Jeskewitz, Co-chairpersons
Joint Legislative Audit Committee
State Capitol
Madison, Wisconsin 53702

Dear Senator Roessler and Representative Jeskewitz:

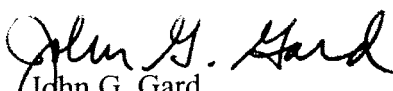
I am requesting a Legislative Audit Bureau audit of the State's Accountability, Consolidation and Efficiency (ACE) Initiative that was passed in the biennial budget, 2005 Wisconsin Act 25. As enacted, this initiative required lapses into the State's general fund for consolidations of human resource and payroll functions, consolidations of server and network support functions, the restructuring of procurement functions and for efficiencies gained with better space management. Notably, the Legislature inserted a provision that required the Department of Administration to report to the Joint Finance Committee by September 1, 2006 on the lapses in 2005-06 and to report additional requirements by April 1, 2007, but the Governor vetoed this requirement.

On March 15, 2005, the Governor proposed that this initiative would save up to \$200 million over the next four years and that the consolidation of procurement would save \$50 million over the next two years. I would expect an audit to include the status of cost savings in the ACE initiative.

While I realize that the initiative has only been in effect for a few months, recent headlines have caused me concern about its implementation. Specific attention should be paid to the people – state employees and hired consultants – that have been hired and used to implement this initiative. The Audit Bureau should explore whether this program has achieved, or is on a path to achieve, any of the savings that the program was designed to deliver. Are these gains, if any, one-time grabs or is the business of government changing to allow for longer term savings?

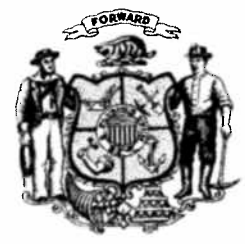
Thank you for your consideration.

Sincerely,


John G. Gard
Speaker of the Assembly



WISCONSIN STATE LEGISLATURE





AA... HA...
funny
6331
FEB 28 2006

WISCONSIN LEGISLATURE

P.O. BOX 8952 • MADISON, WI 53708

February 28, 2006

Senator Carol Roessler, Co-Chair
Joint Legislative Audit Committee
Room 8 South State Capitol
Madison, WI 53703

Suzanne Jeskewitz, Co-Chair
Joint Legislative Audit Committee
Room 314 North State Capitol
Madison, WI 53708

NOT
impressed!!

too late -
KA + I'll write Jennifer
with your help
see other study
MOST Recent
- will send them

Dear Senator Roessler and Representative Jeskewitz:

As you know, Family Care was initiated as a long-term care pilot project in select counties in 1999. The goals of Family Care include increasing choices, improving access to services, improving quality of services, and accomplishing these goals in a cost effective manner.

this "hide away"

Since its inception, there have been a number of evaluations and reviews of Family Care, some of which have been conducted or contracted out by the Department of Health and Family Services (DHFS), while other impartial studies have been conducted by the Lewin Group for the Legislative Audit Bureau. The final evaluation report by the Lewin group was completed June 30, 2003.

Recent discussions about expanding Family Care statewide have compelled us to write this letter and seek answers to unresolved questions about the Family Care program. Now more than ever it is necessary to evaluate the outcomes of this program. To understand the questions better, we have grouped them under the following headings, which correspond to the four stated goals of Family Care: Consumer Choice, Access, Quality, and Cost Efficiency.

The purpose of this letter is to request the Joint Legislative Audit Committee to call for a review of these questions by the Legislative Audit Bureau. Please feel free to contact either of us if you have questions about this request or if any of these questions require clarification.

Thank you in advance for your consideration.

Sincerely,

Kitty Rhoades
State Representative
30th Assembly Representative

John Townsend
State Representative
52nd Assembly Representative

NO response for MONTH

is wife making...
"star... cards...
What address...
immediate wife

Consumer Choice

- From the inception of Family Care to the most recent data available, please provide the number of disenrollments from Family Care and summary of reasons for those disenrollments.
- Please provide insight into the process of completing a comprehensive assessment at the Aging and Disability Resource center. Specifically, in this process, is it possible for an individual to be *encouraged or discouraged* to enroll in Family Care, based on the results of the individual's comprehensive assessment?
- Please explain the determination of an individual's plan of care. What entities are involved in the setting of an individual's plan of care and the types of services available to them?
- Please explain who has the responsibility to supervise CMOs and how that oversight is accomplished.

Access

- Please provide the number of licensed personal care / supportive home care workers in all Wisconsin counties, including those implementing Family Care. Please provide the number of licensed personal care / supportive home care workers working for or otherwise contracted with by a CMO in counties implementing Family Care.
- Explain the compensation and training of personal care / supportive home care workers currently supplying services for Family Care recipients. What is the range of compensation in the various counties implementing Family Care? What is the range of compensation in counties not implementing Family Care? How is the amount of compensation to personal care / supportive home care workers decided in the Family Care Program?
- Please explain the nature of how CMOs contract with providers of services.
- Explain the involvement of informal, unpaid supports and volunteers in counties that have implemented Family Care.

Quality

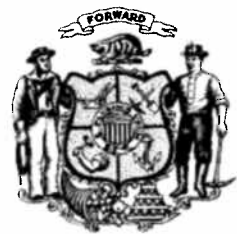
- Please provide the details of all disenrollments from Family Care. Including reasons for disenrolling, and what levels of care the Medicaid recipients had when they disenrolled.
- Please provide subject details on the grievances filed about the Family Care program on behalf of Medicaid recipients who are or have been in the Family Care program.
- In October 2005, APS did an 'independent audit' of Family Care and still seems to be under contract for consulting. What is the nature of the October 2005 study contract, the current contract and please evaluate the methods of the APS study? Did they use sound and objective methods?

Cost Efficiency

- Please provide the average monthly cost of each Family Care benefit for a private pay individual seeking those services. How much *in total* would a private pay individual have to pay to obtain one month of the services offered through Family Care?
- Please explain the extent to which the benefits under Family Care exceed those available in other state long-term care programs.
- In Family Care counties, please provide an *all funds comparison* from three years prior to the implementation of Family Care to the present. (All funds should include state spending through Medicaid, community & county contributions through Community Aids, as well as any other local government funding such as tax levy funding.) In aforementioned years, please also provide the number of individuals served.
- Please provide a comparison of Medicaid costs for services not covered under Family Care (e.g. pharmacy, physician, hospital) for Family Care enrollees and non-Family Care enrollees. Also, to what extent are these costs considered in the Department of Health and Family Services' claims of savings derived from the October 2005 APS study?
- Please explain what is happening to patient share dollars under Family Care? What patient share dollars are being collected? What are these patient share dollars being used for?
- Has Family Care received any additional money from DHFS (or another entity) outside of what has been allocated?
- Several Family Care counties have experienced deficits in Family Care operations. Why did these deficits occur? In Family Care counties where deficits did occur, how much funding was needed to continue Family Care operations, and where did this additional funding come from? What are counties doing to change the operations of the program? In the counties that implement Family Care, is the program being propped up by local property taxpayers? If so, are these dollars being counted in studies of the cost effectiveness to the state or are state dollars only being counted?
- In detail, how are capitated rates calculated and adjusted over time? Under the proposed expansion of Family Care in which one capitated rate applies to each distinct region, how does the capitated rate account for health care costs variations within that region? How is the capitated rate determined to be adequate? If adequacy hinges on federal rules, please explain the federal rules also. What measures are in place to remedy disagreement in what constitutes adequate capitated rates?
- In the 2006 Family Care capitated rates, did DHFS make the counties whole from previous deficits or does it reflect actual operating costs?
- Please provide an estimate on the administrative costs of Family Care. Where does the funding come from for these administrative costs? How does these administrative costs compare with other programs?
- Please clearly explain the financial responsibilities and liabilities of county partners in the administration of Family Care. Also, to what extent can the state, county, or CMO be held liable for inadequate services or changes in services?



WISCONSIN STATE LEGISLATURE





State Representative

Samantha J. Kerkman

February 28, 2006

Senator Carol Roessler, Co-Chair
Joint Committee on Audit
8 South State Capitol

Representative Suzanne Jeskewitz, Co-Chair
Joint Committee on Audit
314 North State Capitol

Dear Senator Roessler and Representative Jeskewitz:

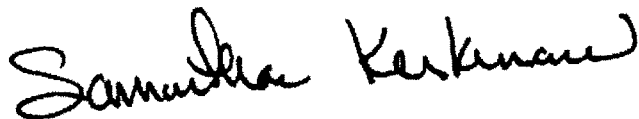
It is with great alarm that I read the Legislative Audit Bureau's Letter Report on Employment of Felons by UW System. This issue is of great concern to me, and because of this I have been anxiously awaiting their report. Due to the information contained in the report, I write to formally request a public hearing on this matter.

The Legislative Audit Bureau's findings are extremely distressing. They indicate that our UW system officials were unaware of most of the 40 felons that are employed by the system. For an institution that prides itself on being a leader in research it seems they have dropped the ball on the most basic of research-background checks. I'm gravely concerned that the administration has chosen to put our students, faculty and administrators at risk by not ensuring a safe environment. The report indicates that although there is a policy for criminal background checks, there is tremendous variation among the institutions. Clearly this discrepancy in application of background checks is a loophole that must be looked into.

I was startled to learn that nearly 17% of the felons were convicted of violent felonies, including sexual assault of a child and homicide. All felony convictions should be considered serious; however, those that are violent in nature are of an even greater concern. This is something that we need to review further. It is our duty to provide opportunity for the UW-System to respond to these shocking statistics, and for the public to air any concerns they may have.

Clearly, this report should only be the beginning of our investigation into the problem. The University System must be held accountable for any failures in employment hiring policies. I appreciate your consideration of a public hearing on the matter. If you would like to discuss this further, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Samantha Kerkman". The signature is written in a cursive style with a large, prominent "S" at the beginning.

Samantha J. Kerkman
State Representative
66th Assembly District

Cc: Joint Committee on Audit Members





MAR 03 2006

KA
talk Fe!

Wisconsin State Assembly

P.O. BOX 8952 • MADISON, WI 53708

in rest center

March 2, 2006

Senator Carol Roessler
P.O. Box 7882
Madison, WI 53707

Representative Sue Jeskewitz
P.O. Box 8952
Madison, WI 53708

Dear Senator Roessler and Representative Jeskewitz,

We are writing you regarding the Menominee Indian School District.

The Menominee Indian School District (MISD) encompasses all of Menominee County and a small part of Shawano County. Approximately 99% of the land in Menominee County is tax exempt. This puts a large burden on the remaining 1% of taxable property. Any fluctuation in MISD's budget has an extreme impact on the property taxpayers. Last year, the MISD increased its levy by over 40%.

The MISD spends \$17,053 per pupil compared to a statewide average of \$10,603. Much of the funding comes from non-local sources. Federal aid to the district is \$6,987 per pupil and state aid is \$7,651 per pupil (compared to statewide averages of \$671 and \$5,445, respectively). The property taxpayers of Menominee County want to know why the district is spending so much more per pupil than the statewide average and, we suspect, the taxpayers in the rest of the state will as well.

As you know, s.13.94(1)(m) authorizes the Legislative Audit Bureau to conduct audits of school boards at the request of the Joint Legislative Audit Committee. The Audit Bureau conducted an audit of Menominee County in 1998 (Audit Report 98-3). The audit helped prompt legislation and new internal controls that have improved the financial standing of the county. We believe that similar results could be obtained if an audit were conducted of the MISD.

While the Audit Bureau normally does not conduct audits of school districts, we believe the unique nature of the MISD's finances warrant such an action. Therefore, we respectfully request that the Joint Legislative Audit Committee request an audit of the Menominee Indian School District.

If you have any questions, feel free to contact us. Thank you for your consideration of this request.

Sincerely,



Jeff Mursau
State Representative
36th Assembly District



John Gard
State Representative
89th Assembly District

Cc: Janice Mueller
Mike Huebsch
Dale Schultz



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

May 22, 2006

Representative John Gard
211 West, State Capitol
Madison, Wisconsin 53702

Representative Jeff Mursau
18 North, State Capitol
Madison, Wisconsin 53702

Dear Representative Gard and Representative Mursau:

Thank you for your letter, dated March 2, 2006, in which you request the Joint Legislative Audit Committee to direct the Legislative Audit Bureau to conduct an audit of the Menominee Indian School District.

As cited in your letter, s. 13.94 (1)(m), Wis. Stats., does allow the Legislative Audit Bureau to audit the records of any county, city, village, town or school district at the direction of the Joint Legislative Audit Committee. However, the Committee may not direct more than three such audits in any calendar year. Past committees have rarely exercised this option to authorize audits of local units of government.

While we are sympathetic to the serious concerns you raise about financial issues within the school district, we are reluctant to divert the resources and focus of the Legislative Audit Bureau away from the operations of state government to local government. The core responsibility of the Legislative Audit Bureau is to conduct financial and program evaluation audits of state government. Therefore, we have chosen not to advance your request for an audit of the Menominee Indian School District at this time.

Thank you for your letter. Please contact us with any questions or concerns.

Sincerely,

Senator Carol A. Roessler, Co-chair
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz, Co-chair
Joint Legislative Audit Committee

cc: Janice Mueller
State Auditor



WISCONSIN STATE LEGISLATURE

Joint Legislative Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

May 22, 2006

Representative John Gard
211 West, State Capitol
Madison, Wisconsin 53702

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Sincerely,

Senator Carol A. Roessler, Co-chair
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz, Co-chair
Joint Legislative Audit Committee

cc: Janice Mueller
State Auditor