

STATE OF WISCONSIN
Senate Journal
Ninety–Eighth Regular Session

FRIDAY, November 7, 2008

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

PETITIONS AND COMMUNICATIONS

**University of Wisconsin
School of Medicine and Public Health**

October 22, 2008

The Honorable, The Legislature:

As you may recall, in 1999 Blue Cross & Blue Shield of WI (BC/BS) submitted an application to OCI to convert to a for–profit entity and transfer the proceeds from the sale of the company to the two Wisconsin medical schools, the UW School of Medicine and Public Health and the Medical College of Wisconsin. OCI approved this conversion and the distribution of the proceeds to the two schools. The proceeds were equally divided and each school received \$297 million in March, 2004. The UW School of Medicine and Public Health created the Wisconsin Partnership Program to be responsible for the administration of the distribution and allocation of the annual income from the endowed funds.

Attached is a link to the Wisconsin Partnership Program’s 2007 Annual Report. In the past four years 167 grants have been awarded, totaling \$61.7 million – with the singular purpose of improving the health of the people of Wisconsin. Grants have gone to local governmental and community organizations throughout the state on a wide array of public health topics, such as: fitness and nutrition, obesity, drug and alcohol abuse, oral health, maternal and child health, and access to health services.

The Wisconsin Partnership Program has significant public oversight through the four public members serving on its Oversight and Advisory Committee and through the public forum provided by the Wisconsin United for Health Foundation Board (WUHF), which reviews and comments on the program’s annual reports and five year plans. Since its inception, WUHF has been chaired by former Assembly Speaker Ben Brancel. In addition, the School, UW–Madison, and UW System Board of Regents fulfills a number of obligations regarding the management of the program, including, most importantly, ensuring that the program is in compliance with the requirements set forth by the Insurance Commissioner’s Order.

If you would like to receive additional information, a hard copy of the report or past reports, or would be interested in meeting with us, please contact Lisa Maroney at 265–1653.

Thank you for taking the time to review this report. We are privileged to have this unprecedented opportunity to partner with communities throughout Wisconsin on health improvement projects.

Sincerely,
ROBERT N. GOLDEN
MD, DEAN, UWSMPH

**State of Wisconsin
Department of Transportation**

October 29, 2008

The Honorable, The Senate:

I am pleased to present to you, for distribution to the Wisconsin Senate, the annual evaluation report on the Pretrial Intoxicated Driver Intervention Grant Program. It is also available on our website:

www.dot.wisconsin.gov/library/publications/topic/safety.htm

The program, created by section 86.53 Wis. Stats., was established by the legislature in 1997 with the requirement that the Department study its impact and report on its findings.

The Pretrial Intoxicated Driver Intervention Grant Program is intended for offenders who are arrested for their second or subsequent OWI (Operating While Intoxicated) offense. Offender participation may be voluntary or court ordered. It is an intervention model designed to get offenders into counseling, treatment and supervision as soon as possible after the arrest. The program is individual to each community.

As you will see in the report, no community that has begun a program has dropped it. Overall, offenders who successfully completed the program were less likely than non–participants to be re–arrested for subsequent OWI violations. Those who were re–arrested went significantly longer between arrests than non–participants. Currently there are seven counties on a waiting list for funding to begin programs.

I commend those people who have dedicated themselves to making this innovative program a success. There are no “silver bullets” in eradicating impaired driving, but I feel this effort is a vital piece in the total transportation safety effort.

Sincerely,
MAJOR DANIEL W. LONDSORF
Director

**State of Wisconsin
Healthy Lifestyles Cooperative, Brown County**

October 29, 2008

The Honorable, The Legislature:

As required by S. 185.99(5) of the Wisconsin Statutes, the Healthy Lifestyles Cooperative is submitting the attached

progress report to the Wisconsin Legislature and the Commissioner.

Please let us know if you have any questions concerning our report.

Sincerely,
RANDALL CONNOUR
Executive Director

**State of Wisconsin
Gathering Waters Conservancy**

October 30, 2008

The Honorable, The Senate:

It is my pleasure to share with you a report on Gathering Waters Conservancy's activities and accomplishments for Fiscal Year 2008. This report is being submitted in accordance with the statutory requirements of s.23.0955(2)(b)5. Gathering Waters Conservancy has had an extremely successful year, thanks to the ongoing support of the state legislature and the Department of Natural Resources.

The more than 50 land trusts in Wisconsin have, together, permanently protected over 200,000 acres in communities across Wisconsin. Land trusts in Wisconsin have a combined membership of close to 50,000 individuals and thousands of local volunteers; they have raised millions of dollars to protect critical lands that benefit the public; and they work with private landowners every day to promote stewardship and protection of our natural resources.

We look forward to continuing to work with the Department and the state legislature to achieve our mutual conservation goals. Please do not hesitate to contact me for additional information. I have also enclosed Gathering Waters Conservancy's audited financial reports for FY 2008 for your review.

Sincerely,
MICHAEL STRIGEL
Executive Director

**State of Wisconsin
Department of Administration**

October 31, 2008

The Honorable, The Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes) and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of September 2008.

On September 1, 2008, the Utility Public Benefits Fund cash balance closed at a negative \$2.9 million. This negative balance continued through September 18, 2008, when the fund's cash balance closed at a positive \$13.1 million. The Utility Public Benefits Fund cash balance reached its intra-month low of a negative \$3.4 million on September 11, 2008. The negative balance was due to a delayed cash transfer.

On September 1, 2008, the Injured Patients and Families Compensation Fund cash balance closed at a negative \$139.5 million. This negative balance continued through September

30, 2008, when the fund's cash balance closed at a negative \$141.0 million. The Injured Patients and Families Compensation Fund cash balance reached its intra-month low of a negative \$142.5 million on September 4, 2008. The negative balance was due to the transfer of \$200 million to the Medical Assistance Trust Fund per 2007 Wisconsin Act 20, and the pending liquidation of fund securities necessary to offset this shortfall.

The Utility Public Benefits Fund and Injured Patients and Families Compensation Fund shortfalls were not in excess of the statutory interfund borrowing limitations and did not exceed the balances of the funds available for interfund borrowing.

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

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to joint committee on **Finance**.

**State of Wisconsin
Department of Natural Resources**

October 31, 2008

The Honorable, The Senate:

In fulfillment of the requirements under s. 299.80 (16), Wisconsin State Statutes, I am submitting to you a copy of the Environmental Cooperation Pilot Program 2008 Progress Report. Please distribute as appropriate. I am also providing a copy of the Report to the Governor and to the Chief Clerk of the Assembly.

For more information on the Environmental Cooperation Pilot Program or additional copies of this report, please contact Mark McDermid at (608) 267-3125, or visit our web site at:

<http://dnr.wi.gov/org/caer/cea/ecpp/index.htm>.

Here is the link to the report:

<http://dnr.wi.gov/org/caer/cea/ecpp/reports/index.htm>.

Thank you.

Sincerely,
MATTHEW FRANK
Secretary

Referred to committee on **Environment and Natural Resources**.

**University of Wisconsin
Hospital and Clinics**

November 1, 2008

The Honorable, The Legislature:

Attached please find a copy of the UWHC Authority report on patient care, education, research, community service activities and an audited financial statement required by state law.

Please feel free to contact me if you have questions or desire additional information.

Thank you.

Sincerely,
DONNA KATEN–BAHENSKY
President & CEO

**State of Wisconsin
Joint Legislative Council**

November 3, 2008

The Honorable, The Senate:

Enclosed is a copy of the General Report of the Joint Legislative Council to the 2007–2008 Legislature, prepared and submitted pursuant to s. 13.81 (3), Stats.

I would appreciate your noting in the Senate Journal, pursuant to s. 13.172, Stats., that this report has been delivered to your office.

Thank you.

Sincerely,
TERRY C. ANDERSON
Director

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

The committee on **Judiciary, Corrections, and Housing** reports and recommends:

Senate Clearinghouse Rule 08–045

Relating to the sex offender registration fee to bring the rule into compliance with s.301.45 (10), Stats., as amended by 2007 Wisconsin Act 20, section 3132.

No action taken.

LENA TAYLOR
Chairperson

**Motions Under Senate Rule 98 and Joint Rule 7
for the Month of October 2008**

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Jauch, for Jeffrey N. Adler, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Jauch, for Dallin C. Anderson, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Jauch, for Taylor B. Anderson, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Randall “Randy” William Bartels, on the occasion of his retirement after years of dedicated service to the Wisconsin State Senate.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Daniel John Charles

Blaesing, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Patrick Geoffrey Christopher Blaesing, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Lazich, for Doctor Carol M. Brown, on the occasion of her thanking her for her complementary & innovative treatments to returning Wisconsin troops.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Taylor, for Albert Dunlap, on the occasion of the celebration of his 70th Birthday shared with family & friends.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Taylor, for Mary Esson, on the occasion of being crowned Miss Teen Milwaukee 2008.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Kevin Fruit, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Ellis, for Kyle Kellner, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Taylor, for the family and friends of Haroon Khan, on the occasion of honoring his memory.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Alex Klingbeil, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lazich, for Judge Daniel L. Konkol, on the occasion of being named Polish American of the Year.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Ryan J. Landry, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Ethan Matecki, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Geoffrey McConohy, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Darling, for the Menomonee Falls Health Care Center along with the Administration and staff, on the occasion of being the recipient of the American Healthcare Association Quality Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Fitzgerald, for Muskego Elementary, on the occasion of the Movin’ and Munchin’ kickoff to teach and improve the nutritional choices and increased physical activity throughout Schools.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lazich, for the Muskego Water Bugs, on the occasion of celebrating their 50th Anniversary.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lazich, for the New Berlin Lioness Club, on the occasion of celebrating its 50th Anniversary.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Taylor, for North Division High School and principal Janie Hatton, the Hall of Fame Committee, Alumni, inductees and the entire student body, on the occasion of the inaugurate of their Athletic Hall of Fame.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Darling, for Sam Patrick, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of condolence by the Wisconsin Senate on the motion of Senator Taylor, for the family and friends of Jeanetta Simpson–Robinson, on the occasion of the loss and dedication, commitment to all the lives she touched through her work at the Career Youth Development Center.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Patrick Steven Schmidt, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Schultz, for Rodney Seamans, on the occasion of his retirement and his years of outstanding service to the Sauk County Farm Bureau.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Joshua Eric Seiltz, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Cowles, for Brandon Selner, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Jauch, for Tristan A. Sheils, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Darling, for St. Boniface/St. Gabriel Food Pantry, on the occasion of receiving the Germantown Chamber of Commerce 2008 Community Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Schultz, for Jake Steinhorst, on the occasion of his dedication and hard work to build a “green” family business.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Taylor, for the family and friends of John D. Stewart, on the occasion of honoring his memory.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Marisa Toepfer, on the occasion of earning and attaining the 4–H Key Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Risser, for the University of Wisconsin Department of Ophthalmology and Visual Sciences and the Wisconsin Council of the Blind and Visually Impaired, on the occasion of their leadership and generosity and great cooperative spirit in sponsoring the meetings.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Jauch, for Zachary M. Weaver, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Joshua A. Wengert, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Kanavas, for Tom Wester, on the occasion of earning and attaining the rank of the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Hansen, for Ted Willette, on the occasion of earning and attaining the rank of the Eagle Scout Award.