



# STATE OF WISCONSIN Assembly Journal

## Ninety-Ninth Regular Session

MONDAY, November 1, 2010

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

### COMMUNICATIONS

State of Wisconsin  
Legislative Reference Bureau  
Madison

**DATE:** October 29, 2010

**TO:** Patrick Fuller  
Assembly Chief Clerk

Robert Marchant  
Senate Chief Clerk

**FROM:** Bruce Hoesley  
Code Editor

**SUBJECT:** Rules published in the October 31, 2010,  
Wisconsin Administrative [Register, No. 658](#).

The following rules have been published:

<a href="#">Clearinghouse Rule 09-039</a>	effective	11-1-2010
<a href="#">Clearinghouse Rule 10-037</a>	effective	11-1-2010
<a href="#">Clearinghouse Rule 10-020</a>	part eff.	11-1-2010
	part eff.	2-1-2011
<a href="#">Clearinghouse Rule 10-025</a>	part eff.	11-1-2010
	part eff.	4-1-2011
<a href="#">Clearinghouse Rule 10-031</a>	effective	11-1-2010
<a href="#">Clearinghouse Rule 10-032</a>	effective	11-1-2010
<a href="#">Clearinghouse Rule 10-036</a>	effective	11-1-2010
<a href="#">Clearinghouse Rule 10-041</a>	effective	11-1-2010
<a href="#">Clearinghouse Rule 10-052</a>	effective	11-1-2010
<a href="#">Clearinghouse Rule 10-054</a>	effective	11-1-2010

### SPEAKER'S APPOINTMENTS

August 20, 2010

The Honorable Jim Doyle  
Governor  
115 East, State Capitol  
Madison, WI 53703

Dear Governor Doyle:

Pursuant to state statute 13.489 (1g), I would like to appoint the following members to the Transportation Projects Commission:

Representative Michael Sheridan  
Representative John Steinbrink  
Representative Fred Clark  
Representative Mark Gottlieb  
Representative Jerry Petrowski

These appointments are effective immediately.

Sincerely,  
*MICHAEL J. SHERIDAN*  
Speaker

October 19, 2010

The Honorable Jim Doyle  
Governor  
115 East, State Capitol  
Madison, WI 53703

Dear Governor Doyle:

Pursuant to state statute 13.489 (1g), I would like to appoint Representative Joe Parisi to replace me at the Transportation Projects Commission meeting on October 19, 2010.

This appointment is effective for this meeting only.

Sincerely,  
*MICHAEL J. SHERIDAN*  
Speaker

### REFERRAL OF AGENCY REPORTS

State of Wisconsin  
Public Service Commission  
Madison

September 28, 2010

To the Honorable, the Legislature:

Enclosed is the Public Service Commission's report entitled, "*Energy Efficiency and Renewable Resource Program Activities in Wisconsin, July 2007 – December 2008*." This report is a requirement of [2005 Wisconsin Act 141](#), which directs the Public Service Commission to prepare a summary

of not more than 2 pages to the legislature and to post the full report on the Commission's internet site on the following programs: the statewide energy efficiency and renewable resource program (*Focus on Energy*); municipal utility and electric cooperative programs; and utility programs.

The Commission is pleased to report that the *Focus on Energy* program continues to achieve cost effective energy savings. As the summary indicates, for every dollar spent during the reviewed contract period (July 2007 – December 2008), the program delivered \$2.20 in savings to Wisconsin homeowners and businesses. Last year the *Focus on Energy* program went on to achieve record energy savings and the financial audit for 2009 is nearing completion. A subsequent report to the legislature will soon follow.

The full report for the July 2007 – December 2008 timeframe can be found on the PSC website: <http://psc.wi.gov/reports/legislativereports.htm>. Should you have any questions, please contact Jolene Sheil of the Commission staff at (608) 266-7375 or [jolene.sheil@wisconsin.gov](mailto:jolene.sheil@wisconsin.gov).

Sincerely,  
*ERIC CALLISTO*  
Chairperson

Referred to committee on **Energy and Utilities**.

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State of Wisconsin  
Department of Administration  
Madison

September 30, 2010

To 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 August 2010.

On August 5, 2010, the General Fund cash balance closed at a negative \$29.8 million. This negative balance continued intermittently through August 16, 2010, when the fund's cash balance closed at a positive \$86.1 million. The General Fund cash balance reached its intra-month low of a negative \$90.4 million on August 13, 2010. The negative balance was due to the difference in the timing of revenues and expenditures.

On August 23, 2010, the Medical Assistance Trust Fund cash balance closed at a negative \$462 thousand (its intra-month low). This negative balance continued through August 24, 2010, when the fund's cash balance closed at a positive \$39 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

On August 1, 2010, the Police and Fire Protection Fund cash balance closed at a negative \$543 thousand (its intra-month low). This negative balance continued through August 25,

2010, when the fund's cash balance closed at a positive \$503 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

On August 1, 2010, the Environmental Fund cash balance closed at a negative \$10.6 million. This negative balance continued through August 31, 2010, when the fund's cash balance closed at a negative \$901 thousand. The Environmental Fund cash balance reached its intra-month low of a negative \$13.9 million on August 13, 2010. The negative balance was due to the difference in the timing of revenues and expenditures.

The General Fund, Medical Assistance Trust Fund, Police and Fire Protection Fund, and Environmental 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,  
*DANIEL J. SCHOOFF*  
Secretary of Administration

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

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State of Wisconsin  
Department of Commerce  
Madison

September 30, 2010

To the Honorable, the Legislature:

Please find enclosed a copy of the State of Wisconsin 2010-2014 Consolidated Plan to address housing and community development needs for the state. The Plan was developed by the Department of Commerce and has been reviewed and approved by the U.S. Department of Housing and Urban Development.

Section 16.31 (4), Wis. Stats., requires the Department to submit a copy of this state housing strategy plan to the Governor and the Chief Clerk of each house before October 1.

If you have any questions regarding the Plan, please contact Marty Evanson, Director, Bureau of Supportive Housing, at (608) 267-2713.

Sincerely,  
*JAMES O'KEEFE, ADMINISTRATOR*  
Division of Business Development

Referred to committee on **Housing**.

State of Wisconsin  
Department of Health Services  
Madison

October 1, 2010

To the Honorable, the Legislature:

I am writing to report that, after three months in operation, BadgerCare Plus Basic is financially solvent and successfully meeting the health care needs of 3,500 Wisconsin residents. This letter and the attached statistics fulfill the Department's legislative reporting requirements for Basic under section 49.67 of the Wisconsin Statutes.

With the successful launch of BadgerCare Plus Basic on July 1, 2010, uninsured Wisconsin residents gained another option for health care access. Basic was created to provide an affordable coverage choice to those on the waitlist for the BadgerCare Plus Core Plan. Core enrollment was capped in October 2009 due to limited federal funding. The Core waitlist was established at that time.

For \$130 per month, Basic provides access to ten doctor's visits per year, a comprehensive generic drug benefit and one inpatient hospital stay and five outpatient hospital procedures before a hospital deductible is applied. Other professional medical services are also covered. Though the plan's benefits are very limited, Basic provides protection and peace of mind for those who have no other access to health insurance. Basic is self-funded, and state taxpayers pay nothing to support the program.

Per the specific reporting requirements identified in s. 49.67 (9g), claims payments for Basic totaled \$803,957 through September 15, 2010. Premium revenue totaling \$1,614,460 had been collected as of the same date. Additional reserve revenue of \$1 million remains available to support Basic through the federal State Health Access Program (SHAP) grant administered by the Health Resource Services Administration (HRSA). In short, BadgerCare Plus Basic is completely solvent after its first three months of operation.

No changes to premiums, benefits, enrollee cost sharing or provider payment rates have been implemented since the program began on July 1, 2010. In August, DHS notified members already enrolled in Basic of opportunities to pay premiums in advance at a discounted rate. Advance payments reduce adverse selection by increasing member longevity in the plan. Beginning with the October 2010 benefit month, Basic members have options to pay a \$360 quarterly premium, a \$660 semi-annual premium or a \$1,200 annual premium. More than 400 existing members (12%) opted to make an advance premium payment in September.

As of September 15, 3,503 people were enrolled in BadgerCare Plus Basic. Member demographic information, including age, gender and county of residence, is attached. Enrolling in Basic requires beginning an application for the BadgerCare Plus Core Plan online at [access.wi.gov](http://access.wi.gov) or by phone. That process involves reporting income and insurance information to determine if the applicant is eligible to be added to the Core waitlist. Since enrollment for Basic began, 542 potential Basic applicants were determined ineligible at the point of applying for the Core waitlist. Of the 542

applicants who did not qualify for Basic, 390 were not eligible due to having current insurance, insurance within the past 12 months or access to insurance. Eligible Basic members have no other insurance or access to insurance.

Once individuals have enrolled, the Basic verification process uses a variety of wage, income and insurance databases to verify the information members have reported. Disparities trigger DHS follow-up and potential disenrollment. As of September 15, DHS had determined 59 individuals ineligible for Basic due to other insurance.

The administrative portion of the Basic premium supports a full-time nurse case manager, whose duties focus on direct outreach to Basic members. The nurse has worked directly with more than 200 Basic members to coordinate their health care needs. Sixty-seven percent of Basic members reported their health condition as 'good' in a telephone survey of 211 members conducted by the nurse case manager, 27% reported their health condition as 'fair' and 6% as 'poor.' Direct member contacts made by the nurse case manager have resulted in referrals to other programs for which Basic members may be eligible. To date, the nurse has referred 93 people to the Wisconsin Well Woman program and 27 members to apply for services under the Family Planning waiver.

In July, the Centers for Medicare and Medicaid Services (CMS) approved the Department's amendment to the Core Plan waiver to create a waitlist bypass into Core for Basic members who have been diagnosed with cancer. The policy had been recommended by the Department's Clinical Advisory Committee on Health and Emerging Technology (CACHET) to enhance care to Basic members who had been screened for cancer under Basic, but faced restricted treatment options under Basic's benefit limitations. To date, 14 Basic members with cancer have been transitioned to the Core Plan.

Under Governor Doyle's leadership, Wisconsin now provides access to health care for 98% of the State's residents. BadgerCare Plus Basic has been a key part of this accomplishment.

Sincerely,  
*KAREN E. TIMBERLAKE*  
Secretary

Referred to committee on **Health and Healthcare Reform.**

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State of Wisconsin  
Medical College of Wisconsin  
Milwaukee

October 1, 2010

To the Honorable, the Legislature:

Enclosed please find the Family Medicine Biennial Report of the Medical College of Wisconsin, prepared according to the statutory requirement under section 13.106. This report contains information in the following areas:

The financial status of the family practice residency sites.

The number of family practice residents choosing to practice in medically underserved areas of the state upon graduation.

The number of graduates entering family practice as a career.

Please feel free to contact me at (414-955-8217) if you have any questions or would like additional information.

Sincerely,  
*KATHRYN A. KUHN*  
Vice President, Government and  
Community Relations

Referred to committee on **Colleges and Universities**.

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Supreme Court of Wisconsin  
Director of State Courts  
Madison

October 1, 2010

To the Honorable, the Legislature:

Under ss. [758.19 \(5\)\(e\)](#) and [758.19 \(6\)\(d\)](#), Wis. Stats., each county is required to submit an annual report to the Director of State Courts which provides information on the actual amount of revenues collected and expenditures incurred by the county for the operation of its circuit courts. Pursuant to [758.19 \(5\)\(i\)](#), Wis. Stats., the Director of State Courts is required to compile and annually submit the information to the Governor and the Legislature.

Questions regarding counties' reported financial information should be directed to the Court System Fiscal Officer Brian Lamprech. He can be reached at 608.266.6865 or at [brian.lamprech@wicourts.gov](mailto:brian.lamprech@wicourts.gov).

Sincerely,  
*A. JOHN VOELKER*  
Director of State Courts

Referred to committee on **Children and Families**.

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**TO:** Assembly Chief Clerk Patrick Fuller  
**FROM:** Donna Katen-Bahensky, President and CEO  
University of Wisconsin Hospital and Clinics  
**DATE:** October 1, 2010  
**RE:** Report required under s. [233.04 \(1\)](#)

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

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

Thank you.

Referred to committee on **Health and Healthcare Reform**.

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State of Wisconsin  
Department of Administration  
Madison

October 29, 2010

To 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 2010.

On September 21, 2010, the Medical Assistance Trust Fund cash balance closed at a negative \$5.4 million (its intra-month low). This negative balance continued through September 30, 2010, when the fund's cash balance closed at a negative \$2.0 million. The negative balance was due to the difference in the timing of revenues and expenditures.

On September 1, 2010, the Environmental Fund cash balance closed at a negative \$1.2 million. This negative balance continued through September 30, 2010, when the fund's cash balance closed at a negative \$16.3 million (its intra-month low). The negative balance was due to the difference in the timing of revenues and expenditures.

The Medical Assistance Trust Fund and Environmental 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,  
*DANIEL J. SCHOOFF*  
Secretary

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