

STATE OF WISCONSIN
Senate Journal
Ninety–Ninth Regular Session

TUESDAY, October 5, 2010

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

PETITIONS AND COMMUNICATIONS

**Cooperative Health Choices
of Western Wisconsin**

September 22, 2010

The Honorable, The Legislature:

Submitted in accordance with the statute referenced above, Cooperative Health Choices of Western Wisconsin (CHC) is pleased to report on its progress as a health benefit purchasing cooperative as follows:

(1) The extent to which the health benefit purchasing cooperative has had an impact on the number of uninsured in the geographic area in which it operated.

(2) The effect of health care coverage premiums for groups in the geographic area in which the health benefit purchasing cooperative operated, including groups not in the health benefit purchasing cooperative.

(3) The degree to which health care consumers were involved in the development and implementation of the health benefit purchasing cooperative.

Thank you for the opportunity to submit this annual summary, in the event of questions or comments, please feel free to contact the undersigned or Steven J. Healy, CHC's interim president (715.425.9947).

Sincerely,

WILLIAM RUBIN

Cooperative Health Choices of Western Wisconsin

**State of Wisconsin
Public Service Commission**

September 28, 2010

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 of 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 as subsequent report to the legislature will soon follow.

The full report 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 (606) 266–7375 or jolene.sheil@wisconsin.gov.

Sincerely,

ERIC CALLISTO

Chairperson

**State of Wisconsin
Department of Administration**

September 30, 2010

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

Referred to joint committee on **Finance**.

**State of Wisconsin
Department of Commerce**

September 30, 2010
The Honorable, The Senate:

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 16.314(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 1st.

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

**Medical College
of Wisconsin**

October 1, 2010
The Honorable, The Senate:

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 & Community Relations

Referred to joint committee on **Finance**.

**University of Wisconsin
Hospitals and Clinics**

October 1, 2010
The Honorable, The Legislature:

Attached please find a copy of the UWHC Authority 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 of desire additional information.

Thank you.

Sincerely,
DONNA KATEN–BAHENSKY
President & CEO

Supreme Court of Wisconsin

October 1, 2010
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.

Sincerely,
A. JOHN VOELKER
Director of State Courts

**State of Wisconsin
Department of Health Services**

October 1, 2010
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 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 joint committee on **Finance**.

**State of Wisconsin
Government Accountability Board**

October 5, 2010

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2009-2010 session of the legislature, visit the Government Accountability Board's web site at: <http://gab.wi.gov/>.

McDowell, Kelly Celgene Corporation

Also available from the Wisconsin Government Accountability Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,
KEVIN KENNEDY
Director and General Counsel

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

The committee on **Ethics Reform and Government Operations** reports and recommends:

Senate Clearinghouse Rule 10-063

Relating to debarment, suspension, and ineligibility of department of administration contractors

No action taken.

FRED RISSER
Chairperson

The committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue** reports and recommends:

Senate Clearinghouse Rule 10-013

Relating to psychometric testing.

No action taken.

Senate Clearinghouse Rule 10–081

Relating to the impaired professionals procedure.

No action taken.

Senate Clearinghouse Rule 10–084

Relating to the subsidy of health insurance premiums for persons with HIV infection.

No action taken.

Senate Clearinghouse Rule 10–085

Relating to emergency medical services, including first responders, emergency medical technicians (EMTs), first responder service providers, non–transporting EMT service providers, and ambulance service providers.

No action taken.

Senate Clearinghouse Rule 10–091

Relating to miscellaneous minor and technical changes.

No action taken.

JON ERPENBACH
Chairperson

The committee on **Labor, Elections and Urban Affairs** reports and recommends:

Senate Clearinghouse Rule 10–090

Relating to the licensing and registration of individuals who install or alter thermal insulation for heating, ventilating, cooling, plumbing, or refrigeration systems.

No action taken.

Senate Clearinghouse Rule 10–092

Relating to amending the rules of the prevailing wage program in response to statutory changes made by [2009 Wisconsin Act 28](#).

No action taken.

SPENCER COGGS
Chairperson

The committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing** reports and recommends:

Senate Clearinghouse Rule 09–120

Relating to sentence computation and modification.

No action taken.

Senate Clearinghouse Rule 10–089

Relating to carbon monoxide detectors in dwellings and affecting small business.

No action taken.

LENA TAYLOR
Chairperson

The committee on **Transportation, Tourism, Forestry, and Natural Resources** reports and recommends:

Senate Clearinghouse Rule 09–044

Relating to registration of non–standard vehicles.

Modifications requested, Ayes 7, Noes 0.

Ayes, 7 – Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Noes, 0 – None.

JIM HOLPERIN
Chairperson

**Motions Under Senate Rule 98 and Joint Rule 7
for the Month of September 2010**

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Jauch, for the town of Amnicon, on the occasion of celebrating their 100th Anniversary.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Taylor, for Alyce Mabel Moore–Armstrong, on the occasion of celebrating her 86th Birthday shared with family and friends.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Sam Arndt, on the occasion of achieving the 4–H Key Award.

A certificate of commendation by the Wisconsin Senate on the motion of Senator Risser, for Steven Benjamin “Ben” Brist, 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 David Campbell, 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 Steven J. Deau, 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 Darling, for Norman Doll, on the occasion of receiving the 2010 Citizen of the Year Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Vinehout, for Dr. Todd Fetsch, on the occasion of being inducted into the Boy Scouts of America’s Hall of Leadership.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Schultz, for Ron Fruit, owner and general manager of Fruit Broadcasting LLC/WRCO Radio, on the occasion of his legacy of leadership in his community.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Jauch, for the town of Gordon, on the occasion of celebrating their 150th Anniversary.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Darling, for Erik Grant Grothman, 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 Lasee, for the town of Humboldt, on the occasion of its sesquicentennial celebration and dedication of its new town hall.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Taylor, for Robert Johnson, on the occasion of celebrating his 60th Birthday shared with family and friends.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Cassandra Meyer, on the occasion of achieving the 4–H Key Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Darling, for Robert H. Milbrath, on the

occasion of being chosen to participate in an honor flight to visit the World War II Memorial on November 6, 2010.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Rebecca Minnig, on the occasion of achieving the 4-H Key Award.

A certificate of commendation by the Wisconsin Legislature on the motion of Senator Harsdorf, for Matthew Nitz, 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 Grothman, for Samuel Richard Nolan, on the occasion of earning and attaining the Eagle Scout Award.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Darling, for Rich Panella, on the occasion of his many years of outstanding coaching and his entrance into the WBCA Hall of Fame.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Vinehout, for the Pepin United Methodist Church, on the occasion of celebrating their 160th Anniversary.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Holperin, for Matthew Joseph Pfantz, 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 Schultz, for the Richland Center High

School Band, on the occasion of celebrating its 100th Anniversary.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Harsdorf, for the River Falls Fire Department, on the occasion of celebrating the volunteer fire fighters, and their 125th Anniversary.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Darling, for Mark Roherty, on the occasion of receiving the 2010 Distinguished Service Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Fitzgerald, for Laura Schoenike, on the occasion of achieving the 4-H Key Award.

A certificate of congratulations by the Wisconsin Legislature on the motion of Senator Harsdorf, for the St. Croix County Fair, on the occasion of its centennial celebration of Fairs.

A certificate of congratulations by the Wisconsin Senate on the motion of Senator Lasee, for Taipei Economic and Cultural Office, on the occasion of celebrating the 99th National Day of the Republic of China (Taiwan).

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