

Eighty-Ninth Regular Session

WEDNESDAY, September 26, 1990

The chief clerk makes the following entries under the above date.

PETITIONS AND COMMUNICATIONS

State of Wisconsin

Department of Health and Social Services

September 21, 1990

To the Honorable the Legislature:

As required in Sections 227.485(9) and 814.245(10) of the Wisconsin Statutes, I am submitting the report concerning decisions and resulting payments of costs and attorney fees. Costs and attorney fees are to be paid whenever the other party to an agency's chapter 227 hearing or appeal thereof prevails and it's determined the agency's position was not substantially justified.

Should the hearing examiner determine that the motion of the other party in any chapter 227 contested case is frivolous, the examiner may award the state agency all reasonable costs in responding to the motion. The Department of Health and Social Services did not recover any costs during the fiscal year ending June 30, 1989.

Sincerely,
Patricia A. Goodrich
Secretary

State of Wisconsin
Legislative Audit Bureau

September 25, 1990

To the Honorable the Legislature:

We have completed an audit of the financial statements of the Patients Compensation Fund as required by s. 13.94, Wis. Stats. The audit covered the fiscal years ended June 30, 1989, and June 30, 1988.

Our report contains the financial statements and the related auditor's report for the fiscal year audited. Although we issue an unqualified auditor's report, we note that the Fund's reported losses are based on actuarial estimates, which will probably differ from the amounts ultimately paid.

In fiscal year 1988-89, there was a change in the past upward trend of the Fund's deficit balance; the deficit balance decreased \$14.4 million to \$108.3 million as of June 30, 1989. While legislative changes and other factors have contributed to some stabilization of the deficit, the deficit should continue to be monitored and evaluated because of its size and the unpredictability of the number and size of future claim awards.

Despite the Fund's somewhat improved financial position, further oversight and improvements are needed in the Fund's operations. Deficiencies in the Fund's claims operations resulted in several discrepancies in claims information, including information which is important for estimating ultimate losses and setting annual assessment fees. The Fund also lost \$142,000 in

potential investment earnings on three checks which were never deposited. The Fund also needs to improve its enforcement of health care provider compliance to reduce the risk to patients of uninsured health care providers.

We appreciate the courtesy and cooperation extended to us by the staff of the Office of the Commissioner of Insurance and the contractors who help administer the Patients Compensation Fund program. The response from the Commissioner of Insurance is the Appendix.

Sincerely,
DALE CATTANACH
State Auditor

State of Wisconsin
Ethics Board

September 26, 1990

To the Honorable the Senate

In furtherance of statutory directive, I am furnishing you with recent changes in the Ethics Board's registry of people who are paid to influence legislative action or administrative rules.

AUTHORIZATION TO LOBBY IS WITHDRAWN:

David Ahrens terminated as of September 18, 1990 for WisconsinAction Coalition.

AUTHORIZATION TO LOBBY IS GRANTED:

Anthony H. Driessen.

1) ALW Home Mortgages, 3100 Breckinridge Blvd., Duluth, GA 30136 (404)564-6124, contact: Steven Reidich.

Michael Brozek.

1) Lazard Freres and Company, One Rockefeller Plaza, New York, NY 10020 (212)632-6571, contact: Kenneth Gibbs.

Ronald Kuehn.

1) Restaurant Employees Health and Welfare Benefit Trust, WI, 125 W. Doty St., Madison, WI 53703 (608)251-3663, contact: Ed Lump.

Thomas Coenen.

1) Greyhound Association, WI, P.O. Box 2157 Madison, WI 53701 (608)283-2588, contact: Thomas Coenen.

Janet Swandby.

1) Greyhound Association, WI, P.O. Box 2157 Madison, WI 53701 (608)283-2588, contact: Thomas Coenen.

Sincerely,
R. ROTH JUDD
Executive Director

SENATE CLEARINGHOUSE ORDERS

Senate Clearinghouse Rule 90-25

Relating to permits for vehicles and loads exceeding the size and weight limitations of ch. 348, Stats.

Submitted by Department of Transportation.

Report received from agency, September 24, 1990.

Referred to committee on Transportation, Conservation and Mining, September 26, 1990.

Senate Clearinghouse Rule 90-37

Relating to vegetable grade standards and grading procedures.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, September 25, 1990.

Referred to committee on Agriculture, Corrections, Health and Human Services, September 26, 1990.

Senate Clearinghouse Rule 90-121

Relating to the administration of the office of health care information.

Submitted by Department of Health and Social Services.

Report received from agency, September 21, 1990.

Referred to committee on Agriculture, Corrections, Health and Human Services, September 26, 1990.

Senate Clearinghouse Rule 90-123

Relating to sales to and by elementary and secondary schools and related organizations.

Submitted by Department of Revenue.

Report received from agency, September 21, 1990.

Referred to committee on Aging, Banking, Commercial Credit and Taxation, September 26, 1990.

Senate Clearinghouse Rule 90-130

Relating to complaint resolution procedures for inmates of the Wisconsin resource center.

Submitted by Department of Health and Social Services.

Report received from agency, September 21, 1990.

Referred to committee on Agriculture, Corrections, Health and Human Services, September 26, 1990.

Senate Clearinghouse Rule 90-145

Relating to administrative suspension of operating privilege for operating a motor vehicle with an alcohol concentration of 0.1 or more.

Submitted by Department of Transportation.

Report received from agency, September 19, 1990.

Referred to committee on Judiciary and Consumer Affairs, September 26, 1990.

Senate Clearinghouse Rule 90-148

Relating to the issuance of occupational driver's licenses.

Submitted by Department of Transportation.

Report received from agency, September 21, 1990.

Referred to committee on Transportation, Conservation and Mining, September 26, 1990.

Senate Clearinghouse Rule 90-157

Relating to start-up grants for before- and after-school day care programs for children ages 4 to 11.

Submitted by Department of Health and Social Services.

Report received from agency, September 21, 1990.

Referred to committee on Agriculture, Corrections, Health and Human Services, September 26, 1990.

Senate Clearinghouse Rule 90-164

Relating to the volume cap on private activity bonds. Submitted by Department of Development.

Report received from agency, September 20, 1990.

Referred to committee on Education, Economic Development, Financial Institutions and Fiscal Policies, September 26, 1990.

The committee on Education, Economic Development, Financial Institutions and Fiscal Policies reports and recommends:

Senate Clearinghouse Rule 90-120

Relating to a business development initiative program.

No action taken.

Barbara Ulichny
Chair

The committee on Transportation, Conservation and Mining reports and recommends:

Senate Clearinghouse Rule 90-83

Relating to Chippewa Indian treaty gathering rights. No action taken.

Senate Clearinghouse Rule 90-87

Relating to administration of the forest crop law and managed forest law.

No action taken.

Lloyd Kincaid
Chair