



STATE OF WISCONSIN

Assembly Journal

One-Hundredth Regular Session

FRIDAY, December 23, 2011

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

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 441

Relating to: signing a petition to recall the same officer more than once and providing a penalty.

By Representatives J. Fitzgerald, Tauchen, LeMahieu, Tiffany, Krug, A. Ott, Nass, Honadel, Brooks, Kleefisch, Severson, Meyer, Knodl and Craig; cosponsored by Senators Darling and Lasee.

To committee on **Election and Campaign Reform**.

Assembly Bill 442

Relating to: pleading requirements for assignees of creditors under the Wisconsin Consumer Act.

By Representatives Hebl, Bewley, C. Taylor, Spanbauer, Zamarripa, Wynn, Ringhand, Hintz, Grigsby, Sinicki and Roys; cosponsored by Senators Taylor, Lassa, Risser and S. Coggs.

To committee on **Financial Institutions**.

Assembly Bill 443

Relating to: excluding sports officials from coverage under the worker's compensation law.

By Representatives Fields, Barca, Jacque, Marklein, A. Ott, Sinicki, C. Taylor, Thiesfeldt, Tranel, Wynn and Molepske Jr; cosponsored by Senators Lassa, Schultz and Taylor.

To committee on **Labor and Workforce Development**.

Assembly Bill 444

Relating to: restoring the right to vote to certain persons barred from voting as a result of a felony conviction, changing the information required on voter registration forms, and changing voting procedure for certain persons who are convicted of felonies.

By Representatives Grigsby, Pasch, Pocan, Berceau, C. Taylor, Hebl, Roys, E. Coggs, Zamarripa, Bernard Schaber, Fields, Kessler, Bewley, Turner and Toles; cosponsored by Senators Taylor and S. Coggs.

To committee on **Election and Campaign Reform**.

COMMITTEE REPORTS

The committee on **Natural Resources** reports and recommends:

Assembly Bill 421

Relating to: the issuance of, and exemptions from, certain individual permits, contracts, and general permits for structures, deposits, and other activities in or near navigable waters; areas of significant scientific value that are areas of special natural resource interest; repair and maintenance of boathouses and fixed houseboats; information required to be published on the Department of Natural Resources Internet Web site; expedited procedures for certain plan approvals; deadlines for action on certain approval applications; and granting rule-making authority.

Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption:

Ayes: 10 – Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens and Clark.

Noes: 4 – Representatives Mason, Danou, Milroy and Hulsey.

Assembly Amendment 2 to Assembly Substitute Amendment 1 adoption:

Ayes: 8 – Representatives Mursau, Rivard, Williams, Nerison, Severson, Tiffany, Stroebel and Litjens.

Noes: 6 – Representatives Steineke, Mason, Danou, Clark, Milroy and Hulsey.

Assembly Substitute Amendment 1 adoption:

Ayes: 13 – Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel, Litjens, Mason, Danou, Clark and Milroy.

Noes: 1 – Representative Hulsey.

Passage as amended:

Ayes: 9 – Representatives Mursau, Rivard, Kleefisch, Nerison, Severson, Steineke, Tiffany, Stroebel and Litjens.

Noes: 5 – Representatives Mason, Danou, Clark, Milroy and Hulsey.

To committee on **Rules**.

JEFFREY MURSAU

Chairperson

Committee on Natural Resources

COMMUNICATIONS

December 23, 2011

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 441, relating to signing a petition to recall the same officer more than once and providing a penalty.

Sincerely,
JOAN BALLWEG
State Representative
41st Assembly District

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending June 30, 2011, as required by s. [565.37 \(3\)](#), Wis. Stats. The attached materials contain unaudited Wisconsin Lottery year-to-date Revenue and Expenditure information.

Lottery sales were \$133.5 million for the quarter, up 5.2% from the same quarter last year. For the year, sales are at \$502.6 million, up 4.4% over last year.

The information reported here is a summary and is not intended to be a complete financial accounting of Wisconsin Lottery operations.

If you have any questions or comments regarding this report, please feel free to contact me at (608) 266-6466.

Sincerely,
RICHARD G. CHANDLER
Secretary of Revenue

Referred to committee on **Homeland Security and State Affairs**.

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Medical College of Wisconsin
Milwaukee

December 12, 2011

To the Honorable, the Legislature:

Enclosed please find the Medical College of Wisconsin's (MCW) annual report for the Breast and Prostate Cancer Research Program. This Program is funded through the Wisconsin income tax checkoff created by the 2003 Wisconsin ACT 176 (breast cancer) and the 2005 Wisconsin ACT 460 (prostate cancer). The law requires that MCW use this money for breast and prostate cancer research and to report annually on the use of funds.

This document reports activities, projects and research funded through the Breast and Prostate Cancer Research Program at MCW for the period of July 1, 2010–June 30, 2011.

If you have any questions or comments regarding this report, please contact me at 414-955-8217.

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

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

State of Wisconsin
Department of Revenue
Madison

December 19, 2011

To the Honorable, the Legislature:

State of Wisconsin
Department of Safety and Professional Services
Madison

December 20, 2011

To the Honorable, the Legislature:

It is with great pleasure that I submit to you the 2009-2011 Biennial Report for the Department of Safety and Professional Services (DSPS).

The past year has been a period of major transition for the DSPS, which was formed through the merger of the former Department of Regulation and Licensing and parts of the former Department of Commerce under [2011 Wisconsin Act 32](#). The first half of this year was filled with extensive planning to bring these two agencies together. During the second half of this year, the focus has shifted to implementing the new consolidated agency and developing resulting efficiencies. We look forward as an agency, in the years ahead, to providing an increased level of customer service and efficiency as our contribution to growing Wisconsin's culture for job creation.

Our biennial report is a snapshot of some of the department's recent accomplishments, as well as a preview of some of the goals and objectives we will be working toward in the near future. I would like to take this opportunity to thank the Governor, members of the Legislature, our employees and stakeholders who have all been supportive of the creation of this new agency.

Sincerely,
DAVE ROSS
Secretary

Referred to committee on **Homeland Security and State Affairs**.

State of Wisconsin
Wisconsin Economic Development Corporation
Madison

December 22, 2011

To the Honorable, the Legislature:

Wisconsin Statute 238.07 (1) directs the board of the Wisconsin Economic Development Corporation to submit an annual report to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2). The attached report was approved by the WEDC Board of Directors on December 13, 2011.

Sincerely,
PAUL F. JADIN, CEO
Wisconsin Economic Development Corporation

Referred to committee on **Jobs, Economy and Small Business**.

State of Wisconsin
Office of Justice Assistance
Madison

December 22, 2011

To the Honorable, the Legislature:

Pursuant to Wisconsin statutes 16.964 (12)(k), I am pleased to submit the evaluation of the Treatment Alternatives and Diversion (TAD) grant program. An Executive Summary of the evaluation and a copy of the full analysis have been included.

In 2005, the Wisconsin legislature passed [2005 Wisconsin Act 25](#), which authorized a grant program to counties to establish programs that provide alternatives to incarceration for offenders who abuse alcohol or other drugs. The Office of Justice Assistance (OJA) has been administering the Treatment Alternatives and Diversion (TAD) grant program since its inception. The requirements for TAD projects are outlined in Wis. Stats. 16.964 (12).

The Office of Justice Assistance (OJA) provided staff support to the Treatment Alternatives and Diversion Advisory Committee. An initial Advisory Committee selected the initial grant project sites. A subsequent Advisory Committee monitored project performance and constructed recommendations based on their review and assessment of the data. The Committee's recommendations are reflected in the evaluation.

As part of the program, the Wisconsin legislature required OJA, in collaboration with the Departments of Corrections and Health Services, to submit a report on the cost-savings generated by TAD as well as recommendations for how the grant program should be structured in the future.

The evaluation indicates that TAD projects effectively divert non-violent offenders with substance abuse treatment needs from incarceration thereby avoiding costs associated with

incarceration. Please feel free to contact me with any questions.

Sincerely,
JOHN MURRAY
Executive Director

Referred to committee on **Criminal Justice and Corrections**.

State of Wisconsin
National Multiple Sclerosis Society-Wisconsin Chapter
Madison

December 22, 2011

To the Honorable, the Legislature:

The National Multiple Sclerosis Society-Wisconsin Chapter is pleased to submit the attached report to the Governor and State Legislature, pursuant to Wisconsin Act 71.10 (5m), "Multiple Sclerosis Programs Check-off." The report reflects the disbursements made from January 1, 2011–December 31, 2011. Disbursements made in 2012, will be reported prior to January, 2013, and thereafter annually, as promulgated in Wisconsin Act 71.

In December 2005, Governor Jim Doyle and members of the State Legislature created Wisconsin ACT 71 to assist those who live with Multiple Sclerosis (MS) in Wisconsin. This law established a voluntary income tax check-off on Wisconsin State income tax forms for 2006 and beyond to fund health-related programs and services for people with MS in Wisconsin. Under Wisconsin Act 71, Provision 71.10 (5m)(L), the National Multiple Sclerosis Society-Wisconsin Chapter was directed to file a report prior to January 1, 2012, that "details the entities to which the society distributed funds under paragraph (k), the amount of money each entity received, and the health-related multiple sclerosis programs on which the money was spent."

The National Multiple Sclerosis Society-Wisconsin Chapter is proud to partner with the Governor, State Legislature, Wisconsin taxpayers, and entities in moving forward to provide vital programs and services to people living with MS in Wisconsin.

Please contact me if you have any questions.

Sincerely,
JEREMY OTTE, MSCIR, MSSMC
DIRECTOR, MISSION DELIVERY
National Multiple Sclerosis
Society-Wisconsin Chapter

Referred to committee on **Aging and Long-Term Care**

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

December 20, 2011

To the Honorable, the Assembly:

We have completed a review of the Department of Health Services' (DHS's) Medical Assistance program, as requested by the Joint Legislative Audit Committee. Total Medical Assistance expenditures increased from \$5.0 billion in fiscal year (FY) 2006-07 to \$7.5 billion in FY 2010-11, primarily because the number of recipients increased from 870,201 in January 2007 to 1.2 million in January 2011. DHS has increasingly relied on vendors to provide administrative support to the program, and vendor payments increased from \$66.2 million in FY 2006-07 to \$114.8 million in FY 2010-11. DHS has not always adequately assessed costs before contracting with vendors, and its extensive reliance on vendors raises concerns about DHS's ability to provide adequate program oversight. We include recommendations for DHS to improve its contracting and oversight practices.

Most recipients receive services through subprograms, such as BadgerCare Plus, which are often provided through managed care arrangements. It is widely believed that providing services through such arrangements is cost-effective. However, an estimated \$3.6 billion, or 51.2 percent of all Medical Assistance expenditures, were incurred on a fee-for-service basis in FY 2009-10. We include a recommendation for DHS to consider enrolling recipients in managed care plans more quickly.

DHS's budgeting and financial management practices have not kept pace with the growth and increasing complexity of the Medical Assistance program, and DHS has not been able to readily produce the type of management information that is desired by legislators and needed for effective management. For example, DHS does not include all Medical Assistance expenditures as part of the program's budget or record them as the program's expenditures. In addition, it neither budgets nor routinely accounts for expenditures on a subprogram basis, which is typically how legislators and others deliberate the program. We include recommendations for DHS to better account for all Medical Assistance expenditures and to budget and track these expenditures by subprogram.

The federal Patient Protection and Affordable Care Act will impact Medical Assistance funding and participation, but its overall effects are difficult to predict because many provisions of the Act will not become effective until 2014. We include a recommendation for DHS to report to the Joint Legislative Audit Committee by January 2013 when more will be known about the likely effects of the Act.

We appreciate the courtesy and cooperation extended to us by DHS, health care providers, and other groups in completing this evaluation. DHS's response follows the appendices.

Respectfully submitted,
JOE CHRISMAN
State Auditor

State of Wisconsin
Legislative Audit Bureau
Madison

December 22, 2011

To the Honorable, the Assembly:

We have completed our financial audit of the State of Wisconsin as of and for the fiscal year ended June 30, 2011. The State's financial statements, and our unqualified audit opinion on them dated December 21, 2011, were included in the State's Comprehensive Annual Financial Report, which can be found on the Department of Administration's website.

During the course of our audit, we identified internal control concerns that are required to be reported under Government Auditing Standards. The enclosed management letter includes our report on internal control over financial reporting and on compliance. In that report, we make recommendations for various state agencies to improve their financial reporting and to strengthen internal controls, including those over security of computer programs and electronic data. The management letter was provided to the Department of Administration and to the other state agencies to which we made recommendations for improvement. We will follow up during next year's audit to determine the extent to which state agencies have addressed these concerns.

In addition, we followed up on certain budgetary accounting matters we reported in a January 20, 2011 letter to the Joint Legislative Audit Committee. In that letter, we identified \$19.4 million in lapses during fiscal year (FY) 2009-10 from certain program revenue appropriations in excess of the available cash balances. In addition, we identified \$25.9 million in expenditures that were paid during FY 2009-10 but charged to FY 2010-11 accounts.

During FY 2010-11, we found that the Department of Administration took steps to prevent lapses from program revenue appropriations in excess of available cash balances. However, a total of \$567,500 was lapsed during FY 2010-11 from three program revenue appropriations due to an oversight. We also found during FY 2010-11 that state agencies appear to have discontinued the practice of paying for expenditures in one fiscal year but charging them to the next fiscal year. We found no FY 2010-11 payments that were inappropriately charged to FY 2011-12 accounts.

We appreciate the courtesy and cooperation extended to us by the Department of Administration and other state agencies during the audit.

Sincerely,
JOE CHRISMAN
State Auditor