

State of Wisconsin



2005 Assembly Bill 438

Date of enactment: **June 22, 2005**
Date of publication*: **June 22, 2005**

2005 WISCONSIN ACT 15

AN ACT to amend 20.435 (4) (b); to create 25.77 (7) of the statutes; and to affect 2003 Wisconsin Act 100, section 1 (1) (a); relating to: increasing funding for the Department of Corrections and the University of Wisconsin System for energy-related and utility-related expenses; the Senior Care Program; transferring moneys from the general fund to the Medical Assistance trust fund; supplemental Medical Assistance payments to nursing homes; general fund statutory balance; transfer of moneys from the general fund to the budget stabilization fund; and making appropriations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.435 (4) (b) of the statutes is amended to read:

20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts in the schedule to provide a portion of the state share of Medical Assistance program benefits administered under s. 49.45, to provide a portion of the Medical Assistance program benefits administered under s. 49.45 that are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers under s. 46.283, and for services under the family care benefit under s. 46.284 (5), and for reduction of any operating deficits as specified in 2005 Wisconsin Act (this act), section 3. Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (7) (kb) funds in the amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation account and may transfer between fiscal years funds that it transfers from the appropriation account under sub. (7) (kb) for the pur-

poses specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (7) (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).

SECTION 2. 25.77 (7) of the statutes is created to read:
25.77 (7) All moneys transferred under 2005 Wisconsin Act (this act), section 9221 (2).

SECTION 3. 2003 Wisconsin Act 100, section 1 (1) (a) is amended to read:

[2003 Wisconsin Act 100] Section 1 (1) (a) Notwithstanding the limitation under section 49.45 (6u) (am) (intro.) of the statutes on supplemental payments for reduction of operating deficits incurred by nursing homes owned or operated by counties, cities, villages, or towns, in fiscal years 2003–04 and 2004–05, the department of health and family services shall from the appropriation accounts under section 20.435 (4) (b) of the statutes, as affected by this act, and section 20.435 (4) (w) of the statutes distribute for this purpose, under criteria specified in section 49.45 (6u) (am) 1. to 7. of the statutes, any additional federal Medical Assistance moneys received, based on the funds of counties, cities, villages, and towns that are transferred to the Medical Assistance trust fund, certified under 42 CFR 433.51 (b), reimbursed

* Section 991.11, WISCONSIN STATUTES 2003–04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

under section 20.435 (4) (wp) of the statutes, and used as the nonfederal share of Medical Assistance funding, that were not anticipated and budgeted as revenue under [2003 Wisconsin Act 33](#).

SECTION 9101. Nonstatutory provisions; administration.

(1) TRANSFER TO THE BUDGET STABILIZATION FUND. Notwithstanding section 16.518 of the statutes, the secretary of administration shall not transfer any moneys to the budget stabilization fund that result from any calculation under that section relating to the 2004–05 fiscal year.

SECTION 9130. Nonstatutory provisions; legislature.

(1) EXEMPTION FROM CERTAIN LEGISLATIVE RULES OF PROCEEDINGS. Section 20.003 (4m) of the statutes shall not apply to the actions of the legislature in enacting this act.

SECTION 9209. Appropriation changes; corrections.

(1) ENERGY COSTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (f) of the statutes, as affected by the acts of 2005, the dollar amount is increased by \$7,300,000 for fiscal year

2004–05 to increase funding for the purposes for which the appropriation is made.

SECTION 9221. Appropriation changes; health and family services.

(1) SENIOR CARE PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services under section 20.435 (4) (bv) of the statutes, as affected by the acts of 2005, the dollar amount is increased by \$2,000,000 for fiscal year 2004–05 for the purpose for which the appropriation is made.

(2) TRANSFER TO MEDICAL ASSISTANCE TRUST FUND. There is transferred from the general fund to the Medical Assistance trust fund \$75,000,000.

SECTION 9252. Appropriation changes; University of Wisconsin System.

(1) ENERGY COSTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the University of Wisconsin System under section 20.285 (1) (c) of the statutes, as affected by the acts of 2005, the dollar amount is increased by \$22,500,000 for fiscal year 2004–05 to increase the funding for the purposes for which the appropriation is made.
