

2005 DRAFTING REQUEST

Bill

Received: **05/18/2005**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Administration**

By/Representing: **Schmiedicke**

This file may be shown to any legislator: **NO**

Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **State Finance - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **david.schmiedicke@doa.state.wi.us**

Carbon copy (CC:) to: **james.johnston@doa.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

May Budget Adjustment bill

Instructions:

See Attached--compile -1895, -2900, -3049, -3052, -3053

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 05/18/2005			_____			S&L
/P1	chanaman 05/18/2005	kfollett 05/18/2005	chaugen 05/18/2005	_____			S&L
/1			chaugen 05/18/2005	_____	sbasford 05/18/2005		S&L
/2	dkennedy	wjackson	jfrantze	_____	Inorthro	Inorthro	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	05/19/2005 chanaman 05/19/2005	05/19/2005	05/19/2005	_____ _____ _____	05/19/2005	05/20/2005	

FE Sent For:

↳ At Intro.

<END>

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/?	chanaman 05/18/2005			_____			S&L
/P1	chanaman 05/18/2005	kfollett 05/18/2005	chaugen 05/18/2005	_____			S&L
/1		/2wly5/19	chaugen 05/18/2005	_____	sbasford 05/18/2005		

Handwritten signatures and dates: Jb 5/19, Jb/Pg 5/19

FE Sent For:

<END>

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May Contact:

Addl. Drafters:

Subject: **State Finance - miscellaneous**

Extra Copies: *James Johnston DoA Budget
e-mail okay*

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/?	chanaman 05/18/2005	<i>11/cj 5/18/05</i>		_____			S&L
/P1	chanaman		chaugen 05/18/2005	<i>pb 5/18/05</i>			

FE Sent For:

*Compile
Case attached
On 5/18*
<END>

Legislative Reference Bureau

Legislative Draft Compiling Worksheet

Use this document to generate a list of the lrb numbers for all drafts which should be included in a compiled document. To create this list, follow these steps:

1. Enter the qualifying parameters for the lrb numbers returned. The qualifying parameters include the *Legislative Session* (e.g. **01, 03, 05**), *First* LRB number, *Last* LRB Number, *Earliest* Date, *Latest* Date and whether you want to specify *Submitted* proposals only. All LRB numbers returned will be greater than or equal to the *First* LRB number, and less than or equal to the *Last* LRB Number. Additionally, only LRB numbers will be returned for drafts request after or on the *Earliest* date, and Before or on the *Latest* date. If you do not want to limit the query by LRB number or date, use very small ('-0000' or '01/01/1990') or very large (-9999 or '01/01/2020').

2.

*Note: Dates must be entered in the format 'MM/DD/YYYY'. If you are creating a compile list for amendments, the LRB numbers must be prefixed by an 'a' or 'b' instead of a '-'.

3. Select one of the queries to run. Queries all appear in components named 'Query:XXX' where XXX is an identifier. *Delete all of these components except for the query you wish to run.* The default queries available are:

QueryBill: Returns LRB numbers for Bill Drafts.

QueryDOA: Returns LRB numbers for DOA Bill Drafts.

QueryAmdt: Returns LRB numbers for Amendment Drafts.

QueryLFB: Returns LRB numbers for LFB Amendment Drafts.

The list generated will include the LRB numbers for each document found in the query. The version (slash) numbers will not be returned, since the most current version will always be retrieved. To generate the list based on the query and parameters chosen, save this document with **File->SaveAs->ASCII**; close this document; select this document on the desktop and execute **Tools->LRB Legal -> Compile -> Populate_Compile_List**.

After executing the Retrieve, this document can be modified by hand. Any of the lrb numbers in the list can be modified, or the component removed. To add a new LRB number, create a new cml:item component and enter the LRB number. The order of the LRB numbers in this list will determine the order of the final relating clause and analysis sections.

To create a list of LRB numbers manually, simply add the lrb numbers desired by creating a cml:item for each number as described in the paragraph above. Do not run the Retrieve if the list is created manually.

Enter the *Legislative Session* In This Inline Component (e.g. **01, 03, 05**) -> ??

Enter *First* LRB Number to retrieve In This Inline Component -> **-0000**

Enter *Last* LRB Number to retrieve in This Inline Component -> **-9999**

Enter *Earliest* Date to retrieve in This Inline Component -> **09/01/1998**

Enter *Latest* Date to retrieve in This Inline Component -> **01/01/2020**

Specify whether you'd like to receive *submitted* proposals only (e.g. Yes/No) **No**

Leave this component in document if you wish to retrieve Bill Drafts

Leave this component in document if you wish to retrieve DOA Bill Drafts

Leave this component in document if you wish to retrieve Amendments

Leave this component in document if you wish to retrieve LFB Amendment Drafts

05-1895

05-2900

05-3049

05-3052

05-3053

Sorted Item List

<u>Store File Name</u>	<u>Text</u>
-3052.1	25.77 (7) of the statutes is created to read:
-3053.9130	Nonstatutory provisions; legislature.
-1895.9209	Appropriation changes; corrections.
-2900.9221	Appropriation changes; health and family services.
-3052.9221	Appropriation changes; health and family services.
-3049.9252	Appropriation changes; University of Wisconsin System.



State of Wisconsin
2005 - 2006 LEGISLATURE

(Now)

LRB-3066/PA

CMH...ch

ALL: [initials]
all

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT to create 25.77 (7) of the statutes; relating to: increasing funding for
 2 the Department of Corrections for energy-related and utility-related
 3 expenses; the Senior Care Program; transferring moneys from the general
 4 fund to the Medical Assistance trust fund; required general fund statutory
 5 balance making an appropriation and making appropriations.

and the University of Wisconsin System

Hand

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -1895/6 ***

CORRECTIONAL SYSTEM

ADULT CORRECTIONAL SYSTEM

This bill increases the amount of money appropriated to the Department of Corrections for energy-related and utility-related expenses.

*** ANALYSIS FROM -2900/1 ***

for the 2004-05 fiscal year

HEALTH AND FAMILY SERVICES

Under current law, under the jointly funded federal-state program known as "Senior Care," state residents aged at least 65 years may, after paying an annual enrollment fee and an annual deductible that is based on income, purchase prescription generic drugs for a copayment of \$5 and prescription nongeneric drugs for a copayment of \$15.

This bill increases a general purpose revenue appropriation account for the Senior Care Program by \$2,000,000 for fiscal year 2004-05.

INSERT MATERIAL FROM P-2 HERE

THIS
GOES
TO
P-1

*** ANALYSIS FROM -3049/1 ***

EDUCATION

HIGHER EDUCATION

This bill increases the UW System energy costs appropriation by \$22,500,000 for the 2004-05 fiscal year.

*** ANALYSIS FROM -3052/1 ***

HEALTH AND HUMAN SERVICES

Under current law, the Medical Assistance (MA) trust fund is a segregated fund into which must be deposited federal moneys paid as the result of certain intergovernmental transfers, public funds used as the basis for the intergovernmental transfers, a portion of moneys received from annual assessments imposed by DHFS on nursing homes and intermediate care facilities for the mentally retarded and, under 2003 Wisconsin Act 129, an amount of money from the general fund. Appropriations from the MA trust fund are authorized to meet costs of reimbursing MA health care provider reimbursement, administrative costs associated with augmenting intergovernmental transfers, nursing home MA reimbursement, supplemental MA payments to county nursing homes and certain care management organizations, and reimbursement to counties for providing public money as the basis for intergovernmental transfers.

This bill transfers \$75,000,000 from the general fund to the MA trust fund.

*** ANALYSIS FROM -3053/1 ***

STATE GOVERNMENT

STATE FINANCE

Current statutes contain a rule of proceeding governing legislative action on certain bills. Generally, the rule provides that no bill directly or indirectly affecting general purpose revenues may be adopted if the bill would cause the estimated general fund balance on June 30 of any fiscal year to be less than a certain amount of the total general purpose revenue appropriations for that fiscal year. For fiscal year 2004-05, the amount is \$40,000,000. Current statutes also contain a rule of proceeding that prohibits a structural imbalance in the general fund. This bill provides that both of these rules do not apply to the legislature in enacting this act.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

- 1 SECTION 1. 25.77 (7) of the statutes is created to read:
- 2 25.77 (7) All moneys transferred under 2005 Wisconsin Act (this act), section
- 3 9221 (1).
- 4 SECTION 9130. Nonstatutory provisions; legislature.

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

4 **SECTION 9209. Appropriation changes; corrections.**

5 (1) ENERGY COSTS. In the schedule under section 20.005 (3) of the statutes for
6 the appropriation to the department of corrections under section 20.410 (1) (f) of the
7 statutes, as affected by the acts of 2005, the dollar amount is increased by \$7,300,000
8 for fiscal year 2004-05 to increase funding for the purposes for which the
9 appropriation is made.

10 **SECTION 9221. Appropriation changes; health and family services.**

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

16 **SECTION 9221. Appropriation changes; health and family services.**

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

19 **SECTION 9252. Appropriation changes; University of Wisconsin**
20 **System.**

21 (1) ENERGY COSTS. In the schedule under section 20.005 (3) of the statutes for
22 the appropriation to the University of Wisconsin System under section 20.285 (1) (c)
23 of the statutes, as affected by the acts of 2005, the dollar amount is increased by

Kennedy, Debora

From: Blaine, Robert
Sent: Thursday, May 19, 2005 1:11 PM
To: Kennedy, Debora
Cc: Hanaman, Cathlene; Johnston, James
Subject: Additional FY05 Fix Bill provision

3066

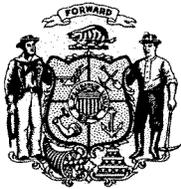
Debora --

We need another provision added to the fix bill. We want to amend the language in 2003 Wisconsin Act 100 (which is all session law) as follows:

(1) SUPPLEMENTAL PAYMENTS TO NURSING HOMES.
(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 appropriations under section 20.435 (4) (w) and (4) (b) of the statutes distribute for this purpose, under criteria specified in section 49.45 (6u) (am) 1. to 7. of the statutes, an amount equal to 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 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.

In short, the reason we want to do this is that, as you know, Act 100 requires us to pay counties any excess IGT we claim. Because of some budget mechanics, we don't have enough expenditure authority in the SEG fund to make these payments. We could change the appropriation level in the SEG fund, but this sets off a domino of other changes we would like to avoid. A simpler alternative would be to amend this session law provision to allow us to make the county payments under both (4)(w) and (4)(b) -- the MA benefits appropriation.

Thanks,
Robert



↑ stays
KMR

2005 BILL

supplemental Medical Assistance payments to nursing homes ↑
↓

REGENERATE ✓

1 AN ACT to create 25.77 (7) of the statutes; relating to: increasing funding for
2 the Department of Corrections and the University of Wisconsin System for
3 energy-related and utility-related expenses; the Senior Care Program;
4 transferring moneys from the general fund to the Medical Assistance trust
5 fund; ~~required~~ general fund statutory balance; and making appropriations.

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

This bill increases the amount of money appropriated to the Department of Corrections for energy-related and utility-related expenses for the 2004-05 fiscal year.



EDUCATION

This bill increases the UW System energy costs appropriation by \$22,500,000 for the 2004-05 fiscal year.

HEALTH AND FAMILY SERVICES

Under current law, under the jointly funded federal-state program known as "Senior Care," state residents aged at least 65 years may, after paying an annual enrollment fee and an annual deductible that is based on income, purchase prescription generic drugs for a copayment of \$5 and prescription nongeneric drugs for a copayment of \$15.

BILL

The Department of Health and Family Services

This bill increases a general purpose revenue appropriation account for the Senior Care Program by \$2,000,000 for fiscal year 2004-05.

Under current law, the Medical Assistance (MA) trust fund is a segregated fund into which must be deposited federal moneys paid as the result of certain intergovernmental transfers, public funds used as the basis for the intergovernmental transfers, a portion of moneys received from annual assessments imposed by (DHFS) on nursing homes and intermediate care facilities for the mentally retarded and, under 2003 Wisconsin Act 129, an amount of money from the general fund. Appropriations from the MA trust fund are authorized to meet costs of reimbursing MA health care provider reimbursement, administrative costs associated with augmenting intergovernmental transfers, nursing home MA reimbursement, supplemental MA payments to county nursing homes and certain care management organizations, and reimbursement to counties for providing public money as the basis for intergovernmental transfers.

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INSERT A

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this rule does

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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INSERT 1-1

1 SECTION 1. 25.77 (7) of the statutes is created to read:

2 25.77 (7) All moneys transferred under 2005 Wisconsin Act (this act), section

3 9221 (2).

INSERT 1-3

4 SECTION 9130. Nonstatutory provisions; legislature.

5 (1) EXEMPTION FROM CERTAIN LEGISLATIVE RULES OF PROCEEDINGS. Section 20.003

6 (4) and (4m) of the statutes shall not apply to the actions of the legislature in enacting

7 this act.

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB
DAK:.....

INSERT A

Under current law, in the fiscal biennium 2003-2005, DHFS must under certain criteria distribute from the MA trust fund any federal MA moneys received as the result of intergovernmental transfers, if the moneys were not anticipated and budgeted as revenue under 2003 Wisconsin Act 33 (the 2003-05 biennial budget act), to reduce any operating deficits incurred by nursing homes owned or operated by counties, cities, villages, or towns.

This bill requires DHFS in fiscal year 2004-05 to distribute, both from the MA trust fund and from an MA appropriation account of general purpose revenues, for reduction of operating deficits of publicly-owned or operated nursing homes, an amount equal to any unanticipated federal MA moneys received as the result of intergovernmental transfers. *

INSERT 1-1

Auto Ref
A ✓

1 **SECTION ~~1~~ 20.435 (4) (b)** of the statutes is amended to read:
2 **20.435 (4) (b) *Medical Assistance program benefits.*** Biennially, the amounts
3 in the schedule to provide a portion of the state share of Medical Assistance program
4 benefits administered under s. 49.45, to provide a portion of the Medical Assistance
5 program benefits administered under s. 49.45 that are not also provided under par.
6 (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the
7 facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services
8 provided by resource centers under s. 46.283, and for services under the family care
9 benefit under s. 46.284 (5), and for reduction of any operating deficits as specified in
10 2005 Wisconsin Act (this act), section 2. Notwithstanding s. 20.002 (1), the
11 department may transfer from this appropriation account to the appropriation
12 account under sub. (7) (kb) funds in the amount of and for the purposes specified in
13 s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may
14 credit or deposit into this appropriation account and may transfer between fiscal
15 years funds that it transfers from the appropriation account under sub. (7) (kb) for
16 the purposes specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the

INSERT 1-3

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

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327.

4 **SECTION 2.** 2003 Wisconsin Act 100, section 1 (1) (a) of the statutes, is amended

5 to read:

Autoref A ✓
[2003 Wisconsin Act 100]

6 **(1) (a)** Notwithstanding the limitation under section 49.45 (6u) (am) (intro.) of
7 the statutes on supplemental payments for reduction of operating deficits incurred
8 by nursing homes owned or operated by counties, cities, villages, or towns, in fiscal
9 years 2003–04 and 2004–05, the department of health and family services shall from
10 the appropriation accounts under section 20.435 (4) (b) of the statutes, as affected by
11 this act, and section 20.435 (4) (w) of the statutes distribute for this purpose, under
12 criteria specified in section 49.45 (6u) (am) 1. to 7. of the statutes, any additional
13 federal Medical Assistance moneys received, based on the funds of counties, cities,
14 villages, and towns that are transferred to the Medical Assistance trust fund,
15 certified under 42 CFR 433.51 (b), reimbursed under section 20.435 (4) (wp) of the
16 statutes, and used as the nonfederal share of Medical Assistance funding, that were
17 not anticipated and budgeted as revenue under 2003 Wisconsin Act 33.

Editor ✓
LPS's ✓
I couldn't paste this in, so typed it in full. Please proof w/ Act - copy attached ✓

71.49 (1) (bb) Manufacturing investment credit under s. 71.47 (3t).

SECTION 21. 77.54 (2) of the statutes is amended to read:

77.54 (2) The gross receipts from sales of and the storage, use or other consumption of tangible personal property becoming an ingredient or component part of an article of tangible personal property or which is consumed or destroyed or loses its identity in the manufacture of tangible personal property in any form destined for sale, but this exemption shall not include fuel or electricity except as provided in sub. (30) (a) 6.

SECTION 22. 77.54 (30) (a) 6. of the statutes is created to read:

77.54 (30) (a) 6. Fuel and electricity consumed in manufacturing tangible personal property in this state.

SECTION 23. 77.92 (4) of the statutes is amended to read:

77.92 (4) "Net business income", with respect to a partnership, means taxable income as calculated under section 703 of the Internal Revenue Code; plus the items of income and gain under section 702 of the Internal Revenue Code, including taxable state and municipal bond interest and excluding nontaxable interest income or dividend income from federal government obligations; minus the items of loss and deduction under section 702 of the Internal Revenue Code, except items that are not deductible under s. 71.21; plus guaranteed payments to partners under section 707 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), and (3g), and (3s), and (3t); and plus or minus, as appropriate, transitional adjustments, depreciation differences, and basis differences under s. 71.05 (13), (15), (16), (17), and

(19); but excluding income, gain, loss, and deductions from farming. "Net business income", with respect to a natural person, estate, or trust, means profit from a trade or business for federal income tax purposes and includes net income derived as an employee as defined in section 3121 (d) (3) of the Internal Revenue Code.

SECTION 24. 560.28 of the statutes is created to read:

560.28 Manufacturing investment credit. (1) DEFINITION. In this section, "full-time job" means a regular, nonseasonal full-time position in which an individual, as a condition of employment, is required to work at least 35 hours in a week.

(2) CERTIFICATION. The department shall promulgate rules for the certification of businesses as eligible to claim tax credits under s. 71.07 (3t), 71.28 (3t), or 71.47 (3t). The rules shall permit a business to obtain a certification only if the person satisfies one of the following conditions:

(a) The business has retained from the effective date of this paragraph [revisor inserts date], 100 percent of the business's full-time jobs in this state.

(b) The business's average annual investment in this state since January 1, 2003, is equal to no less than 2 percent of the total book value of the business's depreciable assets in facilities that are based in this state.

(c) The business's average annual investment in this state since January 1, 2003, is no less than \$5,000,000.

(d) Any other criteria that is specific to an industry, as promulgated by rule by the department of commerce, in consultation with the department of revenue.

SECTION 25. Initial applicability.

(1) The treatment of section 77.54 (2) and (30) (a) 6. of the statutes first applies to fuel and electricity sold on January 1, 2006.

2003 Assembly Bill 592

Date of enactment: December 9, 2003
Date of publication: December 23, 2003

2003 WISCONSIN ACT 100

AN ACT relating to: supplemental Medical Assistance payments to county, city, town, or village nursing homes.

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

SECTION 1. Nonstatutory provisions.

(1) SUPPLEMENTAL PAYMENTS TO NURSING HOMES.

(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 under 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 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.

(b) Any additional federal Medical Assistance moneys received under paragraph (a) may not be included in the base of an appropriation account under section 20.435 (4) of the statutes for the purpose of determining the adjusted base funding level for the department of health and family services for fiscal year 2005-06.

2003 Senate Bill 204

Date of enactment: **December 11, 2003**
Date of publication: **December 29, 2003**

2003 WISCONSIN ACT 101

AN ACT to create 185.99 of the statutes; relating to: authorizing a health benefit purchasing cooperative pilot project.

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

SECTION 1. 185.99 of the statutes is created to read:
185.99 Health benefit purchasing cooperatives.

(1) **DEFINITIONS.** In this section:

(a) "Commissioner" means the commissioner of insurance.

(b) "Eligible employee" has the meaning given in s. 632.745 (5) (a).

(c) "Person" means any corporation, limited liability company, partnership, cooperative, association, trade or labor organization, city, village, town, county, or self-employed individual.

(2) **ORGANIZATION AND PURPOSE.** (a) Notwithstanding s. 185.02, one health benefit purchasing cooperative may be organized under this chapter before the first day of the 49th month beginning after the effective date of this subsection [revisor inserts date], in each of the 5 geographic areas designated under sub. (6). Notwithstanding s. 185.043, each health benefit purchasing cooperative may be formed by one or more persons.

(b) The purpose of a health benefit purchasing cooperative is to provide health care benefits for the individuals specified in sub. (4) (a) 1. to 3., through a contract with an insurer authorized to do business in this state in one or more lines of insurance that includes health insurance.

(c) A health benefit purchasing cooperative shall be designed so that all of the following are accomplished:

1. The members become better informed about health care trends and cost increases.

2. All members purchase their health care benefits from the same insurer.

3. The members are actively engaged in designing health care benefit options that are offered by the insurer and that meet the needs of their community.

4. The health insurance risk of all of the members is pooled.

5. The members actively participate in health improvement decisions for their community.

(2m) **TEMPORARY BOARD OF DIRECTORS.** Notwithstanding s. 185.05 (1) (m), the articles of a health benefit purchasing cooperative shall set forth the name and address of at least one incorporator who will act as the temporary board.

(3) **COOPERATIVE MEMBERSHIP.** (a) Notwithstanding s. 185.11 (1), each health benefit purchasing cooperative shall be organized on a membership basis with no capital stock.

(b) Subject to par. (c), any person that does business in, is located in, has a principal office in, or resides in the geographic area in which a health benefit purchasing cooperative is organized, that meets the membership criteria established by the health benefit purchasing cooperative in its bylaws, and that pays the membership fee may be a member of the health benefit purchasing cooperative.

(c) A health benefit cooperative may limit membership of self-employed individuals through its membership criteria, but such criteria must be applied in the same manner to all self-employed individuals.

(d) Each health benefit purchasing cooperative shall file its membership criteria, as well as any amendments to the criteria, with the commissioner.

Northrop, Lori

From: Hanaman, Cathlene
Sent: Friday, May 20, 2005 3:56 PM
To: Lori Northrop; Lynn Emery; Mike Barman; Sarah Basford
Subject: FW: FY05 Adjustment Bill

3066 is ready, and 3084 is its companion. 3084 is in editing but will come out shortly.

Please do as Jim asks below (he's in the DOA budget office).

-----Original Message-----

From: Johnston, James
Sent: Friday, May 20, 2005 1:04 PM
To: Hanaman, Cathlene
Cc: Schmiedicke, David
Subject: FY05 Adjustment Bill

Cathlene,
Please have the FY05 adjustment bill (LRB# 3066\2) jacketed for both houses and delivered to me.
Thanks,
Jim