

State of Wisconsin



2011 Assembly Bill 148

Date of enactment: **June 15, 2011**
Date of publication*: **June 29, 2011**

2011 WISCONSIN ACT 27

AN ACT to affect 2007 Wisconsin Act 20, section 9201 (1c) (a), 2011 Wisconsin Act 10, section 9208 (1), 2011 Wisconsin Act 10, section 9219, 2011 Wisconsin Act 10, section 9221 (1), 2011 Wisconsin Act 10, section 9221 (2), 2011 Wisconsin Act 10, section 9227 (2), 2011 Wisconsin Act 10, section 9230, 2011 Wisconsin Act 10, section 9245 and 2011 Wisconsin Act 10, section 9255; relating to: changes affecting state finances in the 2010–11 fiscal year and making an appropriation.

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

SECTION 1. 2007 Wisconsin Act 20, section 9201 (1c) (a), as affected by 2011 Wisconsin Act 13, is amended to read:

[2007 Wisconsin Act 20] Section 9201 (1c) (a) Notwithstanding sections 20.001 (3) (a) to (c) and 25.40 (3) of the statutes, but subject to paragraph (d), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations to executive branch state agencies, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$200,000,000 during the 2007–09 fiscal biennium and ~~\$121,000,000~~ \$67,000,000 during the 2009–11 fiscal biennium. This paragraph shall not apply to appropriations to the Board of Regents of the University of Wisconsin System and to the technical college system board.

SECTION 1p. 2011 Wisconsin Act 10, section 9208 (1) is repealed.

SECTION 2. 2011 Wisconsin Act 10, section 9219 is repealed.

SECTION 2p. 2011 Wisconsin Act 10, section 9221 (1) is repealed.

SECTION 3. 2011 Wisconsin Act 10, section 9221 (2) is repealed.

SECTION 4. 2011 Wisconsin Act 10, section 9227 (2) is repealed.

SECTION 5. 2011 Wisconsin Act 10, section 9230 is repealed.

SECTION 6. 2011 Wisconsin Act 10, section 9245 is repealed.

SECTION 7. 2011 Wisconsin Act 10, section 9255 is repealed.

SECTION 9208. Fiscal changes; Children and Families.

(1) INCOME AUGMENTATION LAPSE.

(a) Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the general fund from the appropriation account to the department of children and families under section 20.437 (1) (kx) of the statutes, as affected by the acts of 2011, \$2,011,200 in the second fiscal year of the fiscal biennium in which this subsection takes effect.

(b) Notwithstanding 2007 Wisconsin Act 20, section 9201 (1c) (a), the secretary of administration shall apply the lapse under paragraph (a) to the lapse requirement for

* Section 991.11, WISCONSIN STATUTES 2009–10 : 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].

the 2009–11 fiscal biennium under [2007 Wisconsin Act 20](#), section [9201 \(1c\) \(a\)](#).

SECTION 9221. Fiscal changes; Health Services.

(1) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health services under section 20.435 (4) (b) of the statutes, as affected by the acts of 2011, the dollar amount is increased by \$147,000,000 for the 2010–11 fiscal year for the purposes for which the appropriation is made and to pay capitation payments to care management organizations and other entities that provide services to medical assistance recipients under a managed care system for services provided to individuals enrolled in care management organizations and managed care systems.

(2) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE DECREASE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health services under section 20.435 (4) (b) of the statutes, as affected by the acts of 2011, the dollar amount is decreased by \$170,000,000 for the 2011–12 fiscal year for the purposes for which the appropriation is made and for capitation payments to care management organizations and other entities that provide services to medical assistance recipients under a managed care system for services provided to individuals enrolled in care management organizations and managed care systems.

(3) COMMUNITY AIDS APPROPRIATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health services under section 20.435 (7) (b) of the statutes, as affected by the acts of 2011, the dollar amount is decreased by \$3,100,000 for the second fiscal year of the fiscal biennium in which this subsection takes effect for the purposes for which the appropriation is made.

(4) INCOME AUGMENTATION LAPSE.

(a) Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the general fund from the appropriation account to the department of health services under section 20.435 (8) (mb) of the statutes, as affected by the acts of 2011, \$4,500,000 in the second fiscal year of the fiscal biennium in which this subsection takes effect.

(b) Notwithstanding [2007 Wisconsin Act 20](#), section [9201 \(1c\) \(a\)](#), the secretary of administration shall apply the lapse under paragraph (a) to the lapse requirement for

the 2009–11 fiscal biennium under [2007 Wisconsin Act 20](#), section [9201 \(1c\) \(a\)](#).

SECTION 9225. Fiscal changes; Insurance.

(1) TRANSFER TO INJURED PATIENTS AND FAMILIES COMPENSATION FUND. There is transferred from the general fund to the injured patients and families compensation fund \$235,000,000 by June 30, 2012. Moneys transferred under this subsection shall be used for the purpose of paying the amount ordered by the court in *Wisconsin Medical Society, Inc. v. Morgan*, 2010 WI 94. If the amount ordered by the court is less than \$235,000,000, the secretary of administration shall transfer the amount ordered by the court.

SECTION 9227. Fiscal changes; Joint Committee on Finance.

(1) GENERAL PURPOSE REVENUE FUNDS GENERAL PROGRAM SUPPLEMENTATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the joint committee on finance under section 20.865 (4) (a) of the statutes, as affected by the acts of 2011, the dollar amount is decreased by \$4,590,400 for the second fiscal year of the fiscal biennium in which this subsection takes effect to reduce expenditures for the purpose for which the appropriation is made.

SECTION 9253. Fiscal changes; Veterans Affairs.

(1q) MILITARY FUNERAL HONORS APPROPRIATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (2) (dm) of the statutes, as affected by the acts of 2009 and 2011, the dollar amount is increased by \$68,900 for the second fiscal year of the fiscal biennium in which this subsection takes effect for the purpose of providing reimbursement to local units of veterans organizations for the costs of providing military funeral honors.

SECTION 9421. Effective dates; Health Services.

(1) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE DECREASE. Section 9221 (2) of this act takes effect on the day after publication, or on the 2nd day after publication of the 2011–13 biennial budget act, whichever is later.

SECTION 9453. Effective dates; Veterans Affairs.

(1q) MILITARY FUNERAL HONORS APPROPRIATION. SECTION 9253 (1q) of this act takes effect on the day after publication or retroactively to June 30, 2011, whichever is earlier.