

2003 DRAFTING REQUEST

Bill

Received: **01/26/2003**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 7-7980**

By/Representing: **Schmiedicke**

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

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - medical assistance
State Finance - miscellaneous**

Extra Copies: **RAC**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Schmiedicke - BB0449,

Topic:

General fund balance equal to lapse under MA trust fund

Instructions:

See Attached

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>
/?							State
/1	dkennedy 01/27/2003	wjackson 01/27/2003	jfrantze 01/27/2003		sbasford 01/27/2003		State
/2	dkennedy 01/27/2003	wjackson 01/28/2003	pgreensl 01/28/2003		lemery 01/28/2003		State

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/3	rchampag 02/07/2003	wjackson 02/07/2003	rschluet 02/07/2003	_____	sbasford 02/07/2003		State
/4	rchampag 02/07/2003	wjackson 02/07/2003	chaskett 02/07/2003	_____	lemery 02/07/2003		State
/5	rchampag 02/10/2003	wjackson 02/10/2003	jfrantze 02/11/2003	_____	sbasford 02/11/2003		State
/6	rchampag 02/13/2003	wjackson 02/13/2003	pgreensl 02/13/2003	_____	lemery 02/13/2003		

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2/13 04

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/4	rchampag 02/07/2003	wjackson 02/07/2003	chaskett 02/07/2003	_____	lemery 02/07/2003		State
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16 W/LJ 2/13

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Jackson *Self*
2/4

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15 WLJ 2/10

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14 WLj 2/7

14 cph

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/2	dkennedy 01/27/2003	wjackson 01/28/2003	pgreensl 01/28/2003		lemery 01/28/2003		

Handwritten signatures and initials:
Two large circles, "2-7-3", and "JF".

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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FE Sent For:

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1/28 ps

ps/m

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1?	dkennedy	1 Wlj 1/27	Jb 1/27	Jb/Pg 1/27			

FE Sent For:

<END>

Kennedy, Debora

From: Champagne, Rick
Sent: Saturday, January 25, 2003 8:33 AM
To: Kennedy, Debora

Debora:

Re Dave Schmiedicke's request to have general fund balance requirement for 2003-04 and 2004-05 equal the amount lapsed under 20.435 (4) (b) in each of those years, please refer to my 03-1684 for an analysis of current law provisions for the requirement for these fiscal years. S. 20.003 (4) (e) and (f) will need to be amended to strike the current law percentage amounts and score the amount lapsed by the secretary of administration under s. 20.435 (4) (b) in that fiscal year. Also, you may wish to attach the Stitt D-Note.

Rick Champagne
Senior Staff Counsel
Legal Section
Wisconsin Legislative Reference Bureau
100 N. Hamilton St.
P.O. Box 2037
Madison, WI 53701-2037
(608) 266-9930
FAX (608) 264-6948
rick.champagne@legis.state.wi.us

Champagne, Rick

From: Schmiedicke, David
Sent: Wednesday, January 22, 2003 9:00 AM
To: Miller, Steve; Champagne, Rick
Cc: Caucutt, Dan; Koskinen, John
Subject: Drafting Instructions

Steve and Rick: I have two items that need to be drafted related to the required general fund statutory balance under s. 20.003 (4) and (4m). One is for the special session bill on addressing the FY03 deficit and the other for the budget bill.

FY03 Special Session Bill

Exempt this bill from the requirement under s. 20.003 (4m) related to the required general fund structural balance.

2003-05 Biennial Budget

Draft #1: Under s. 20.003 (4), for fiscal year 2003-04 and fiscal year 2004-05, reduce the required general fund balance to 0%.

Draft#2: Prior to January 1, 2004, for fiscal year 2003-04 and January 1, 2005, for fiscal year 2004-05, the Secretary of Administration shall estimate the amounts that will be deposited in the Medical Assistance Trust Fund for the respective fiscal year. Any amounts deposited in the Medical Assistance Trust Fund in excess of \$520 million in fiscal year 2003-04 and \$63 million in fiscal year 2004-05, shall automatically be expended for the state's medical assistance program. Upon making the excess revenue determination, the Secretary shall lapse an equal amount of GPR from the appropriation under s. 20.435 (4)(b) to the general fund. Under s. 20.003 (4), for fiscal year 2003-04 and fiscal year 2004-05, set the statutory balance to equal the amount that is lapsed by the Secretary of Administration from the appropriation under s. 20.435 (4) (b).

DIK or PJK

State share?

reduce

Please call with questions. Thanks.

Dave Schmiedicke

What
alt.
IGT
Scheme
w/
Fund
as
"banker"
?

or \$0?

Why huge diff between 02-03 + 03-04?

Kennedy, Debora

From: Champagne, Rick
Sent: Thursday, January 23, 2003 9:32 AM
To: Kennedy, Debora
Subject: FW: Drafting Instructions

FYI

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

From: Schmiedicke, David
Sent: Thursday, January 23, 2003 8:46 AM
To: Champagne, Rick
Cc: Miller, Steve
Subject: RE: Drafting Instructions

Rick: The two drafts are separate options. I'd like both drafted so that we have the option to pursue one or the other. Thanks.

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

From: Champagne, Rick
Sent: Wednesday, January 22, 2003 3:56 PM
To: Schmiedicke, David
Subject: RE: Drafting Instructions

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Please call with questions. Thanks.

Dave Schmiedicke

Champagne, Rick

From: Schmiedicke, David
Sent: Sunday, January 26, 2003 5:05 PM
To: Champagne, Rick
Cc: Miller, Steve
Subject: Statutory Balance

Rick: I'd like option number two below drafted for the biennial budget. In addition, set the statutory balance at \$5 million for FY04 and \$20 million for FY05. These provisions should work in tandem.

Regarding the budget adjustment bill, I did not see a provision in /P3 that exempts the bill from the statutory balance requirement under s. 20.003 (4). Will this be in a later draft?

Let me know if you have any questions. Thanks.

Dave Schmiedicke
266-1353

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Please call with questions. Thanks.

Dave Schmiedicke



VERY SOON - In edit 1/27

State of Wisconsin
2003 - 2004 LEGISLATURE

D-NOTE

LRB-1761/1

DAK:/:....
WLJ

DOA:.....Schmiedicke - General fund balance equal to lapse under MA trust fund

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

Current statutes contain a rule of procedure 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 an amount equal to less than a certain percentage of the total general purpose revenue appropriations for that fiscal year. For fiscal year 2003-04, the amount is 1.6%; for fiscal year 2004-05, the amount is 1.8%.

This bill requires the secretary of ~~DOA~~ ^{administration} by January 1, 2004, to estimate the total amount that will be deposited in the Medical Assistance (MA) trust fund for fiscal year 2003-04 and to reduce the MA general purpose revenues appropriation by any of that total amount that the secretary estimates will exceed \$520,000,000. The secretary must perform the same estimate, by January 1, 2005, for fiscal year 2004-05, and reduce the MA general purpose revenues appropriation by any of the ^{total amount} that the secretary estimates will exceed \$63,000,000. The bill modifies the required general fund balance for fiscal year 2003-04 to be the amount by which the secretary of ~~DOA~~ ^{administration} reduces the MA general purpose revenues appropriation for

that fiscal year, or \$5,000,000, whichever is greater, and modifies the required general fund balance for fiscal year 2004-05 to be the amount by which the secretary of ~~DOA~~ ^{administration} reduces the MA general purpose revenues appropriation for that fiscal year, or \$20,000,000, whichever is greater.

For further information see the *state* 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. 20.003 (4) (e) of the statutes is amended to read:

2 20.003 (4) (e) For fiscal year 2003-04, 1.6% the amount by which the secretary
3 of administration, acting under 2003 Wisconsin Act ... (this act), section 910¹/₁ (a),
4 reduces the appropriation under s. 20.435 (4) (b), or \$5,000,000, whichever is greater.

A.R. A
A.R. B

History: 1977 c. 29; 1979 c. 34; 1981 c. 1, 20; 1981 c. 314 s. 146; 1981 c. 390; 1983 a. 27, 212; 1985 a. 29, 76, 120; 1985 a. 135 s. 85; 1985 a. 332 s. 253; 1987 a. 27; 1989 a. 336; 1993 a. 16; 1995 a. 27; 1999 a. 9, 83; 2001 a. 16, 106, 109.

5 SECTION 2. 20.003 (4) (f) of the statutes is amended to read:

6 20.003 (4) (f) For fiscal year 2004-05, 1.8% the amount by which the secretary
7 of administration, acting under 2003 Wisconsin Act ... (this act), section 910¹/₁ (b),
8 reduces the appropriation under s. 20.435 (4) (b), or \$20,000,000, whichever is
9 greater.

A.R. A
A.R. C

History: 1977 c. 29; 1979 c. 34; 1981 c. 1, 20; 1981 c. 314 s. 146; 1981 c. 390; 1983 a. 27, 212; 1985 a. 29, 76, 120; 1985 a. 135 s. 85; 1985 a. 332 s. 253; 1987 a. 27; 1989 a. 336; 1993 a. 16; 1995 a. 27; 1999 a. 9, 83; 2001 a. 16, 106, 109.

10 SECTION 9101. Nonstatutory provisions; administration.

11 (1) GENERAL FUND BALANCE ADJUSTMENT.

12 (a) Estimate and reduction for fiscal year 2003-04. Before January 1, 2004, the
13 secretary of administration shall estimate the total amount that will be deposited into
14 the medical assistance trust fund for state fiscal year 2003-04 and shall reduce the
15 appropriation account under section 20.435 (4) (b) of the statutes by any of that total
16 amount that the secretary estimates will exceed \$520,000,000.

17 (b) Estimate and reduction for fiscal year 2004-05. Before January 1, 2005, the
18 secretary of administration shall estimate the total amount that will be deposited into

1 the medical assistance trust fund for state fiscal year 2004–05 and shall reduce the
2 appropriation account under section 20.435 (4) (b) of the statutes by any of that total
3 amount that the secretary estimates will exceed \$63,000,000.

4 (END)

D-NOTE

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1761/1dn

DAK: /:...

WLJ

To Dave Schmiedicke:

Section 20.003 (4) (e)[✓] and (f)[✓], stats., are statutes regulating legislative procedure and, as such, if violated, are not enforceable in court as are other laws. Generally, courts hold that the power to adopt and change legislative procedure is a continuous power, that one legislature may not bind itself or a succeeding legislature as to legislative procedures, and that the courts will not interfere with the conduct of legislative affairs unless the procedure used to pass a bill constitutes a deprivation of constitutionally guaranteed rights. Failure to follow procedural rules amounts to an implied ad hoc suspension of the rules. Therefore, short of a constitutional violation, recourse against legislative error, nonfeasance, or questionable procedure is by political action only. See *Outagamie County v. Smith*, 38 Wis. 2d 24, 41 (1968) and *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 364-69 (1983).

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1761/1dn
DAK:wlj:jf

January 27, 2003

To Dave Schmiedicke:

Section 20.003 (4) (e) and (f), stats., are statutes regulating legislative procedure and, as such, if violated, are not enforceable in court as are other laws. Generally, courts hold that the power to adopt and change legislative procedure is a continuous power, that one legislature may not bind itself or a succeeding legislature as to legislative procedures, and that the courts will not interfere with the conduct of legislative affairs unless the procedure used to pass a bill constitutes a deprivation of constitutionally guaranteed rights. Failure to follow procedural rules amounts to an implied ad hoc suspension of the rules. Therefore, short of a constitutional violation, recourse against legislative error, nonfeasance, or questionable procedure is by political action only. See *Outagamie County v. Smith*, 38 Wis. 2d 24, 41 (1968) and *State ex rel. La Follette v. Stitt*, 114 Wis. 2d 358, 364-69 (1983).

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

Kennedy, Debora

From: Schmiedicke, David
Sent: Monday, January 27, 2003 4:14 PM
To: Kennedy, Debora
Cc: Blaine, Robert
Subject: FW: LRB Draft: 03-1761/1 General fund balance equal to lapse under MA trust fund

Please amend the draft to include Rob's suggested numbers. Thanks.

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

From: Blaine, Robert
Sent: Monday, January 27, 2003 3:13 PM
To: Schmiedicke, David; Johnston, James; Koskinen, John
Subject: RE: LRB Draft: 03-1761/1 General fund balance equal to lapse under MA trust fund

Dave --

The triggering numbers used \$520 / \$63 mn, would not account for IGT revenues raised under our existing IGT program using nursing home expenditures. Figures which would give us some wiggle room would be more like \$550 mn in FY04 and \$80 mn in FY05.

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

From: Schmiedicke, David
Sent: Monday, January 27, 2003 2:23 PM
To: Johnston, James; Koskinen, John; Blaine, Robert
Subject: FW: LRB Draft: 03-1761/1 General fund balance equal to lapse under MA trust fund

Please review for workability and accuracy. Thanks.

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

From: Frantzen, Jean
Sent: Monday, January 27, 2003 2:07 PM
To: Schmiedicke, David
Cc: Schaeffer, Carole; Hanaman, Cathlene; Haugen, Caroline
Subject: LRB Draft: 03-1761/1 General fund balance equal to lapse under MA trust fund

Following is the PDF version of draft 03-1761/1.

<< File: 03-1761/1 >> << File: 03-1761/1dn >>

Kennedy, Debora

From: Schmiedicke, David
Sent: Monday, January 27, 2003 2:46 PM
To: Kennedy, Debora
Cc: Johnston, James; Blaine, Robert
Subject: FW: LRB Draft: 03-1761/1 General fund balance equal to lapse under MA trust fund

Debora: In order for the medical assistance program to remain whole and the GPR for MA to lapse to the general fund balance, funding from the medical assistance trust fund for the medical assistance program will have to increase by the amount of the difference. I don't see that corresponding increase in appropriations from the medical assistance trust fund included in this draft.

Thanks.

Dave Schmiedicke
266-1353

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

From: Frantzen, Jean
Sent: Monday, January 27, 2003 2:07 PM
To: Schmiedicke, David
Cc: Schaeffer, Carole; Hanaman, Cathlene; Haugen, Caroline
Subject: LRB Draft: 03-1761/1 General fund balance equal to lapse under MA trust fund

Following is the PDF version of draft 03-1761/1.



03-1761/1



03-1761/1dn



D-NOTE

DOA:.....Schmiedicke - General fund balance equal to lapse under MA trust fund

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

LPS: Please check autorefs. Thanks.

DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

Current statutes contain a rule of procedure 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 an amount equal to less than a certain percentage of the total general purpose revenue appropriations for that fiscal year. For fiscal year 2003-04, the amount is 1.6%; for fiscal year 2004-05, the amount is 1.8%.

This bill requires the secretary of administration, by January 1, 2004, to estimate the total amount that will be deposited into the Medical Assistance (MA) trust fund for fiscal year 2003-04 and to reduce the MA general purpose revenues appropriation by any of that total amount that the secretary estimates will exceed \$550,000,000. The secretary must perform the same estimate, by January 1, 2005, for fiscal year 2004-05, and reduce the MA general purpose revenues appropriation by any of that total amount that the secretary estimates will exceed \$520,000,000. The bill modifies the required general fund balance for fiscal year 2003-04 to be the amount by which the secretary of administration reduces the MA general purpose

\$550,000,000

is reduced

is reduced

\$80,000,000

is reduced

revenues appropriation for that fiscal year, or \$5,000,000, whichever is greater, and modifies the required general fund balance for fiscal year 2004-05 to be the amount by which the ~~secretary of administration reduces the~~ MA general purpose revenues appropriation for that fiscal year, or \$20,000,000, whichever is greater. INSERT ANAL

For further information see the *state* 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:

appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2003-04

1 SECTION 1. 20.003 (4) (e) of the statutes is amended to read:

2 20.003 (4) (e) For fiscal year 2003-04, 1.6% the amount by which the ~~secretary~~
3 ~~of administration acting~~ under 2003 Wisconsin Act ... (this act), section ~~9101.12 (1)(a)~~
4 ~~reduces the appropriation under s. 20.435 (4) (b)~~ or \$5,000,000, whichever is greater.

A.R. A
9224
(*)
A.R. A1

5 SECTION 2. 20.003 (4) (f) of the statutes is amended to read:

appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2004-05

6 20.003 (4) (f) For fiscal year 2004-05, 1.8% the amount by which the ~~secretary~~
7 ~~of administration acting~~ under 2003 Wisconsin Act ... (this act), section ~~9101.12 (1)(a)~~
8 ~~reduces the appropriation under s. 20.435 (4) (b)~~ or \$20,000,000, whichever is
9 greater.

A.R. A
9224
(*)
A.R. A2

SECTION 9101. Nonstatutory provisions; administration.

(1) GENERAL FUND BALANCE ADJUSTMENT.

(a) *Estimate and reduction for fiscal year 2003-04.* Before January 1, 2004, the secretary of administration shall estimate the total amount that will be deposited into the Medical Assistance trust fund for state fiscal year 2003-04 and shall reduce the appropriation account under section 20.435 (4) (b) of the statutes by any of that total amount that the secretary estimates will exceed \$520,000,000.

(b) *Estimate and reduction for fiscal year 2004-05.* Before January 1, 2005, the secretary of administration shall estimate the total amount that will be deposited into the Medical Assistance trust fund for state fiscal year 2004-05 and shall reduce

1 the appropriation account under section 20.435 (4) (b) of the statutes by any of that
2 total amount that the secretary estimates will exceed \$63,000,000.

3

(END)

INSERT 3-3 ✓

No ff

INSERT ANAL

Lastly, the bill increases the MA trust fund for fiscal years 2003-04 and 2004-05 by the amount of the reduction to the MA general purpose revenues appropriation for each of those fiscal years.

A.R. B

INSERT 3-3

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SECTION 9101. Nonstatutory provisions; administration.

A.R. B1

(1) ESTIMATE OF MEDICAL ASSISTANCE TRUST FUND REVENUE.

A.R. B1

(a) *Estimate for fiscal year 2003-04.* Before January 1, 2004, the secretary of administration shall estimate the total amount that will be deposited into the medical assistance trust fund for state fiscal year 2003-04 that will exceed \$550,000,000.

A.R. B3

(b) *Estimate for fiscal year 2004-05.* Before January 1, 2005, the secretary of administration shall estimate the total amount that will be deposited into the medical assistance trust fund for state fiscal year 2004-05 that will exceed \$80,000,000.

A.R. A1

SECTION 9224. Appropriation changes; health and family services.

A.R. A1

(1) MEDICAL ASSISTANCE REDUCTION. 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) (b) of the statutes, as affected by the acts of 2003, the dollar amount is decreased for fiscal year 2003-04 by the amount estimated under Section 9101 (a), and the dollar amount is decreased for fiscal year 2004-05 by the amount estimated under Section 9101 (b), to decrease funding for the purposes for which the appropriation is made.

A.R. A2

(2) MEDICAL ASSISTANCE TRUST FUND. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services

1 under section 20.435 (4) (w) of the statutes, as affected by the acts of 2003, the dollar
2 amount is increased for fiscal year 2003-04 by the amount estimated under Section ^(CS)
3 9101 (A) (a) for fiscal year 2003-04, and the dollar amount is increased for fiscal year
4 2004-05 by the amount estimated under Section 9101 ^(CS) ^(A.R.B) ^(A.R.B) ^(A.R.B) (*) (b) for fiscal year 2004-05.

END
INSERTS

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1761/2dn
DAK:wlj: ~~1/1~~

To Dave Schmiedicke:

*spell
Administration →*
I have had to vastly revamp this proposal, because only the legislature, not the secretary of administration, has the power to make an appropriation. I've incorporated the revised numbers and the increase to the MA trust fund biennial sum certain appropriation. Please look at it carefully; I think it now does what is necessary.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1761/2dn
DAK:wlj:pg

January 28, 2003

To Dave Schmiedicke:

I have had to vastly revamp this proposal, because only the legislature, not the secretary of administration, has the power to make an appropriation. I've incorporated the revised numbers and the increase to the MA trust fund biennial sum certain appropriation. Please look at it carefully; I think it now does what is necessary.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

Champagne, Rick

From: Schmiedicke, David
Sent: Thursday, February 06, 2003 6:42 PM
To: Champagne, Rick
Cc: Miller, Steve
Subject: Statutory Balance

Please set the statutory balance (LRB 1761) at the following amounts:

FY04: \$25 million
FY05: \$30 million
FY06: \$50 million
FY07 and thereafter: 2% of gross appropriations and compensation reserves (current law)

Thanks

Dave Schmiedicke
266-1353

NOW

DOA:.....Schmiedicke - BB0449, General fund balance equal to lapse under MA trust fund

FOR 2003-05 BUDGET -- NOT READY FOR INTRODUCTION

and,
in for fiscal year 2005-06 and each year thereafter, the amount is 2%

DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

Current statutes contain a rule of procedure 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 an amount equal to less than a certain percentage of the total general purpose revenue appropriations for that fiscal year. For fiscal year 2003-04, the amount is 1.6%; for fiscal year 2004-05, the amount is 1.8%.

This bill requires the secretary of administration, by January 1, 2004, to estimate the total amount that will be deposited into the Medical Assistance (MA) trust fund for fiscal year 2003-04. The MA general purpose revenues appropriation is reduced by any of that total amount that the secretary estimates will exceed \$550,000,000. The secretary must perform the same estimate, by January 1, 2005, for fiscal year 2004-05, and the MA general purpose revenues appropriation is reduced by any of that total amount that the secretary estimates will exceed \$80,000,000. The bill modifies the required general fund balance for fiscal year 2003-04 to be the amount by which the MA general purpose revenues appropriation

\$30,000,000

\$25,000,000

is reduced for that fiscal year, or ~~\$5,000,000~~, whichever is greater, and modifies the required general fund balance for fiscal year 2004-05 to be the amount by which the MA general purpose revenues appropriation is reduced for that fiscal year, or ~~\$20,000,000~~, whichever is greater. Lastly, the bill increases the MA trust fund for fiscal years 2003-04 and 2004-05 by the amount of the reduction to the MA general purpose revenues appropriation for each of those fiscal years.

For further information see the *state* 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:

SECTION 1. 20.003 (4) (e) of the statutes is amended to read:

20.003 (4) (e) For fiscal year 2003-04, 1.6% the amount by which the appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2003-04 under 2003 Wisconsin Act ... (this act), section 9224 (1), or ~~\$5,000,000~~ ^{\$25,000,000} whichever is greater.

SECTION 2. 20.003 (4) (f) of the statutes is amended to read:

20.003 (4) (f) For fiscal year 2004-05, 1.8% the amount by which the appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2004-05 under 2003 Wisconsin Act ... (this act), section 9224 (2), or ~~\$20,000,000~~ ^{\$30,000,000} whichever is greater.

SECTION 9101. Nonstatutory provisions; administration.

(1) ESTIMATE OF MEDICAL ASSISTANCE TRUST FUND REVENUE.

(a) *Estimate for fiscal year 2003-04.* Before January 1, 2004, the secretary of administration shall estimate the total amount that will be deposited into the Medical Assistance trust fund for state fiscal year 2003-04 that will exceed \$550,000,000.

(b) *Estimate for fiscal year 2004-05.* Before January 1, 2005, the secretary of administration shall estimate the total amount that will be deposited into the Medical Assistance trust fund for state fiscal year 2004-05 that will exceed \$80,000,000.

6-2 strike

and modifies to Director's required General Fund balance for 2005-06 to be \$50,000,000

1 **SECTION 9224. Appropriation changes; health and family services.**

2 (1) MEDICAL ASSISTANCE REDUCTION. In the schedule under section 20.005 (3) of
3 the statutes for the appropriation to the department of health and family services
4 under section 20.435 (4) (b) of the statutes, as affected by the acts of 2003, the dollar
5 amount is decreased for fiscal year 2003–04 by the amount estimated under SECTION
6 9101 (1) (a), and the dollar amount is decreased for fiscal year 2004–05 by the amount
7 estimated under SECTION 9101 (1) (b), to decrease funding for the purposes for which
8 the appropriation is made.

9 (2) MEDICAL ASSISTANCE TRUST FUND. In the schedule under section 20.005 (3)
10 of the statutes for the appropriation to the department of health and family services
11 under section 20.435 (4) (w) of the statutes, as affected by the acts of 2003, the dollar
12 amount is increased for fiscal year 2003–04 by the amount estimated under SECTION
13 9101 (1) (a) for fiscal year 2003–04, and the dollar amount is increased for fiscal year
14 2004–05 by the amount estimated under SECTION 9101 (1) (b) for fiscal year 2004–05.

15

(END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1761/3ins
RAC:.....

2-9

SECTION ~~4~~[#]. 20.003 (4) (fm)[✓] of the statutes is created to read:

20.003 (4) (fm) For fiscal year 2005-06, \$50,000,000.

SECTION ~~2~~[#]. 20.003 (4) (g)[✓] of the statutes is amended to read:

20.003 (4) (g) For fiscal year ~~2005-06~~ 2006-07 and each fiscal year thereafter,

2%.

History: 1977 c. 29; 1979 c. 34; 1981 c. 1, 20; 1981 c. 314 s. 146; 1981 c. 390; 1983 a. 27, 212; 1985 a. 29, 76, 120; 1985 a. 135 s. 85; 1985 a. 332 s. 253; 1987 a. 27; 1989 a. 336; 1993 a. 16; 1995 a. 27; 1999 a. 9, 83; 2001 a. 16, 106, 109.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-17618 4
DAK&RAC:wjz

RMR

DOA:.....Schmiedicke – BB0449, General fund balance equal to lapse under
MA trust fund

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 DO NOT GEN
AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

Current statutes contain a rule of procedure 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 an amount equal to less than a certain percentage of the total general purpose revenue appropriations for that fiscal year. For fiscal year 2003-04, the amount is 1.6%; for fiscal year 2004-05, the amount is 1.8%; and, for fiscal year 2005-06 and each year thereafter, the amount is 2%.

This bill requires the secretary of administration, by January 1, 2004, to estimate the total amount that will be deposited into the Medical Assistance (MA) trust fund for fiscal year 2003-04. The MA general purpose revenues appropriation is reduced by any of that total amount that the secretary estimates will exceed \$550,000,000. The secretary must perform the same estimate, by January 1, 2005, for fiscal year 2004-05, and the MA general purpose revenues appropriation is reduced by any of that total amount that the secretary estimates will exceed \$80,000,000. The bill modifies the required general fund balance for fiscal year

2003–04 to be the amount by which the MA general purpose revenues appropriation is reduced for that fiscal year, or \$25,000,000, whichever is greater, modifies the required general fund balance for fiscal year 2004–05 to be the amount by which the MA general purpose revenues appropriation is reduced for that fiscal year, or \$30,000,000, whichever is greater, and modifies the required general fund balance for 2005–06 to be ~~\$50,000,000~~. Lastly, the bill increases the MA trust fund for fiscal years 2003–04 and 2004–05 by the amount of the reduction to the MA general purpose revenues appropriation for each of those fiscal years.

For further information see the *state* 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. 20.003 (4) (e) of the statutes is amended to read:

2 20.003 (4) (e) For fiscal year 2003–04, 1.6% the amount by which the
3 appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2003–04 under 2003
4 Wisconsin Act (this act), section 9224 (1), or \$25,000,000, whichever is greater.

5 SECTION 2. 20.003 (4) (f) of the statutes is amended to read:

6 20.003 (4) (f) For fiscal year 2004–05, 1.8% the amount by which the
7 appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2004–05 under 2003
8 Wisconsin Act (this act), section 9224 (2), or \$30,000,000, whichever is greater.

9 SECTION 3. 20.003 (4) (fm) of the statutes is created to read:

10 20.003 (4) (fm) For fiscal year 2005–06, ~~\$50,000,000~~ \$65,000,000

11 SECTION 4. 20.003 (4) (g) of the statutes is amended to read:

12 20.003 (4) (g) For fiscal year 2005–06 2006–07 and each fiscal year thereafter,
13 2%.

14 SECTION 9101. Nonstatutory provisions; administration.

15 (1) ESTIMATE OF MEDICAL ASSISTANCE TRUST FUND REVENUE.

16 (a) *Estimate for fiscal year 2003–04.* Before January 1, 2004, the secretary of
17 administration shall estimate the total amount that will be deposited into the

\$65,000,000

1 Medical Assistance trust fund for state fiscal year 2003–04 that will exceed
2 \$550,000,000.

3 (b) *Estimate for fiscal year 2004–05.* Before January 1, 2005, the secretary of
4 administration shall estimate the total amount that will be deposited into the
5 Medical Assistance trust fund for state fiscal year 2004–05 that will exceed
6 \$80,000,000.

7 **SECTION 9224. Appropriation changes; health and family services.**

8 (1) **MEDICAL ASSISTANCE REDUCTION.** In the schedule under section 20.005 (3) of
9 the statutes for the appropriation to the department of health and family services
10 under section 20.435 (4) (b) of the statutes, as affected by the acts of 2003, the dollar
11 amount is decreased for fiscal year 2003–04 by the amount estimated under SECTION
12 9101 (1) (a), and the dollar amount is decreased for fiscal year 2004–05 by the amount
13 estimated under SECTION 9101 (1) (b), to decrease funding for the purposes for which
14 the appropriation is made.

15 (2) **MEDICAL ASSISTANCE TRUST FUND.** In the schedule under section 20.005 (3)
16 of the statutes for the appropriation to the department of health and family services
17 under section 20.435 (4) (w) of the statutes, as affected by the acts of 2003, the dollar
18 amount is increased for fiscal year 2003–04 by the amount estimated under SECTION
19 9101 (1) (a) for fiscal year 2003–04, and the dollar amount is increased for fiscal year
20 2004–05 by the amount estimated under SECTION 9101 (1) (b) for fiscal year 2004–05.

21

(END)

Champagne, Rick

From: Schmiedicke, David
Sent: Monday, February 10, 2003 10:27 AM
To: Champagne, Rick
Subject: Statutory Balance

Rick: Please change the FY05 statutory balance (LRB 1761) from \$30 million to \$32 million.

Thanks.

Dave Schmiedicke



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1761/4 5
DAK&RAC:wlj:cph

RMP

DOA:.....Schmiedicke – BB0449, General fund balance equal to lapse under
MA trust fund

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

Current statutes contain a rule of procedure 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 an amount equal to less than a certain percentage of the total general purpose revenue appropriations for that fiscal year. For fiscal year 2003-04, the amount is 1.6%; for fiscal year 2004-05, the amount is 1.8%; and, for fiscal year 2005-06 and each year thereafter, the amount is 2%.

This bill requires the secretary of administration, by January 1, 2004, to estimate the total amount that will be deposited into the Medical Assistance (MA) trust fund for fiscal year 2003-04. The MA general purpose revenues appropriation is reduced by any of that total amount that the secretary estimates will exceed \$550,000,000. The secretary must perform the same estimate, by January 1, 2005, for fiscal year 2004-05, and the MA general purpose revenues appropriation is reduced by any of that total amount that the secretary estimates will exceed \$80,000,000. The bill modifies the required general fund balance for fiscal year

2003–04 to be the amount by which the MA general purpose revenues appropriation is reduced for that fiscal year, or \$25,000,000, whichever is greater, modifies the required general fund balance for fiscal year 2004–05 to be the amount by which the MA general purpose revenues appropriation is reduced for that fiscal year, or ~~\$30,000,000~~, whichever is greater, and modifies the required general fund balance for 2005–06 to be \$65,000,000. Lastly, the bill increases the MA trust fund for fiscal years 2003–04 and 2004–05 by the amount of the reduction to the MA general purpose revenues appropriation for each of those fiscal years.

For further information see the *state* 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.** 20.003 (4) (e) of the statutes is amended to read:

2 20.003 (4) (e) For fiscal year 2003–04, 1.6% the amount by which the
3 appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2003–04 under 2003
4 Wisconsin Act (this act), section 9224 (1), or \$25,000,000, whichever is greater.

5 **SECTION 2.** 20.003 (4) (f) of the statutes is amended to read:

6 20.003 (4) (f) For fiscal year 2004–05, 1.8% the amount by which the
7 appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2004–05 under 2003
8 Wisconsin Act (this act), section 9224 (2), or ~~\$30,000,000~~ ^{\$32,000,000}, whichever is greater.

9 **SECTION 3.** 20.003 (4) (fm) of the statutes is created to read:

10 20.003 (4) (fm) For fiscal year 2005–06, \$65,000,000.

11 **SECTION 4.** 20.003 (4) (g) of the statutes is amended to read:

12 20.003 (4) (g) For fiscal year ~~2005–06~~ 2006–07 and each fiscal year thereafter,
13 2%.

14 **SECTION 9101. Nonstatutory provisions; administration.**

15 (1) ESTIMATE OF MEDICAL ASSISTANCE TRUST FUND REVENUE.

16 (a) *Estimate for fiscal year 2003–04.* Before January 1, 2004, the secretary of
17 administration shall estimate the total amount that will be deposited into the

1 Medical Assistance trust fund for state fiscal year 2003–04 that will exceed
2 \$550,000,000.

3 (b) *Estimate for fiscal year 2004–05.* Before January 1, 2005, the secretary of
4 administration shall estimate the total amount that will be deposited into the
5 Medical Assistance trust fund for state fiscal year 2004–05 that will exceed
6 \$80,000,000.

7 **SECTION 9224. Appropriation changes; health and family services.**

8 (1) **MEDICAL ASSISTANCE REDUCTION.** In the schedule under section 20.005 (3) of
9 the statutes for the appropriation to the department of health and family services
10 under section 20.435 (4) (b) of the statutes, as affected by the acts of 2003, the dollar
11 amount is decreased for fiscal year 2003–04 by the amount estimated under SECTION
12 9101 (1) (a), and the dollar amount is decreased for fiscal year 2004–05 by the amount
13 estimated under SECTION 9101 (1) (b), to decrease funding for the purposes for which
14 the appropriation is made.

15 (2) **MEDICAL ASSISTANCE TRUST FUND.** In the schedule under section 20.005 (3)
16 of the statutes for the appropriation to the department of health and family services
17 under section 20.435 (4) (w) of the statutes, as affected by the acts of 2003, the dollar
18 amount is increased for fiscal year 2003–04 by the amount estimated under SECTION
19 9101 (1) (a) for fiscal year 2003–04, and the dollar amount is increased for fiscal year
20 2004–05 by the amount estimated under SECTION 9101 (1) (b) for fiscal year 2004–05.

21

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1761/56
DAK&RAC:wlj:lj

RMR

DOA:.....Schmiedicke – BB0449, General fund balance equal to lapse under
MA trust fund

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

Current statutes contain a rule of procedure 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 an amount equal to less than a certain percentage of the total general purpose revenue appropriations for that fiscal year. For fiscal year 2003-04, the amount is 1.6%; for fiscal year 2004-05, the amount is 1.8%; and, for fiscal year 2005-06 and each year thereafter, the amount is 2%.

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2003-04 to be the amount by which the MA general purpose revenues appropriation is reduced for that fiscal year, or ~~\$25,000,000~~, whichever is greater, modifies the required general fund balance for fiscal year 2004-05 to be the amount by which the MA general purpose revenues appropriation is reduced for that fiscal year, or ~~\$32,000,000~~, whichever is greater, and modifies the required general fund balance for 2005-06 to be ~~\$65,000,000~~. Lastly, the bill increases the MA trust fund for fiscal years 2003-04 and 2004-05 by the amount of the reduction to the MA general purpose revenues appropriation for each of those fiscal years.

For further information see the *state* 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:

SECTION 1. 20.003 (4) (e) of the statutes is amended to read:

20.003 (4) (e) For fiscal year 2003-04, ~~1.6%~~ the amount by which the appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2003-04 under 2003 Wisconsin Act ... (this act), section 9224 (1), or ~~\$25,000,000~~, whichever is greater.

SECTION 2. 20.003 (4) (f) of the statutes is amended to read:

20.003 (4) (f) For fiscal year 2004-05, ~~1.8%~~ the amount by which the appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2004-05 under 2003 Wisconsin Act ... (this act), section 9224 (2), or ~~\$32,000,000~~, whichever is greater.

SECTION 3. 20.003 (4) (fm) of the statutes is created to read:

20.003 (4) (fm) For fiscal year 2005-06, ~~\$65,000,000~~ \$75,000,000

SECTION 4. 20.003 (4) (g) of the statutes is amended to read:

20.003 (4) (g) For fiscal year ~~2005-06~~ 2006-07 and each fiscal year thereafter, 2%.

SECTION 9101. Nonstatutory provisions; administration.

(1) ESTIMATE OF MEDICAL ASSISTANCE TRUST FUND REVENUE.

(a) *Estimate for fiscal year 2003-04.* Before January 1, 2004, the secretary of administration shall estimate the total amount that will be deposited into the

1 Medical Assistance trust fund for state fiscal year 2003–04 that will exceed
2 \$550,000,000.

3 (b) *Estimate for fiscal year 2004–05.* Before January 1, 2005, the secretary of
4 administration shall estimate the total amount that will be deposited into the
5 Medical Assistance trust fund for state fiscal year 2004–05 that will exceed
6 \$80,000,000.

7 **SECTION 9224. Appropriation changes; health and family services.**

8 (1) **MEDICAL ASSISTANCE REDUCTION.** In the schedule under section 20.005 (3) of
9 the statutes for the appropriation to the department of health and family services
10 under section 20.435 (4) (b) of the statutes, as affected by the acts of 2003, the dollar
11 amount is decreased for fiscal year 2003–04 by the amount estimated under SECTION
12 9101 (1) (a), and the dollar amount is decreased for fiscal year 2004–05 by the amount
13 estimated under SECTION 9101 (1) (b), to decrease funding for the purposes for which
14 the appropriation is made.

15 (2) **MEDICAL ASSISTANCE TRUST FUND.** In the schedule under section 20.005 (3)
16 of the statutes for the appropriation to the department of health and family services
17 under section 20.435 (4) (w) of the statutes, as affected by the acts of 2003, the dollar
18 amount is increased for fiscal year 2003–04 by the amount estimated under SECTION
19 9101 (1) (a) for fiscal year 2003–04, and the dollar amount is increased for fiscal year
20 2004–05 by the amount estimated under SECTION 9101 (1) (b) for fiscal year 2004–05.

21

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1761/6
DAK&RAC:wlj:pg

DOA:.....Schmedicke – BB0449, General fund balance equal to lapse under
MA trust fund

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE FINANCE

Current statutes contain a rule of procedure 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 an amount equal to less than a certain percentage of the total general purpose revenue appropriations for that fiscal year. For fiscal year 2003-04, the amount is 1.6%; for fiscal year 2004-05, the amount is 1.8%; and, for fiscal year 2005-06 and each year thereafter, the amount is 2%.

This bill requires the secretary of administration, by January 1, 2004, to estimate the total amount that will be deposited into the Medical Assistance (MA) trust fund for fiscal year 2003-04. The MA general purpose revenues appropriation is reduced by any of that total amount that the secretary estimates will exceed \$550,000,000. The secretary must perform the same estimate, by January 1, 2005, for fiscal year 2004-05, and the MA general purpose revenues appropriation is reduced by any of that total amount that the secretary estimates will exceed \$80,000,000. The bill modifies the required general fund balance for fiscal year

2003–04 to be the amount by which the MA general purpose revenues appropriation is reduced for that fiscal year, or \$35,000,000, whichever is greater, modifies the required general fund balance for fiscal year 2004–05 to be the amount by which the MA general purpose revenues appropriation is reduced for that fiscal year, or \$40,000,000, whichever is greater, and modifies the required general fund balance for 2005–06 to be \$75,000,000. Lastly, the bill increases the MA trust fund for fiscal years 2003–04 and 2004–05 by the amount of the reduction to the MA general purpose revenues appropriation for each of those fiscal years.

For further information see the *state* 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.** 20.003 (4) (e) of the statutes is amended to read:

2 20.003 (4) (e) For fiscal year 2003–04, 1.6% the amount by which the
3 appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2003–04 under 2003
4 Wisconsin Act (this act), section 9224 (1), or \$35,000,000, whichever is greater.

5 **SECTION 2.** 20.003 (4) (f) of the statutes is amended to read:

6 20.003 (4) (f) For fiscal year 2004–05, 1.8% the amount by which the
7 appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2004–05 under 2003
8 Wisconsin Act (this act), section 9224 (2), or \$40,000,000, whichever is greater.

9 **SECTION 3.** 20.003 (4) (fm) of the statutes is created to read:

10 20.003 (4) (fm) For fiscal year 2005–06, \$75,000,000.

11 **SECTION 4.** 20.003 (4) (g) of the statutes is amended to read:

12 20.003 (4) (g) For fiscal year ~~2005–06~~ 2006–07 and each fiscal year thereafter,
13 2%.

14 **SECTION 9101. Nonstatutory provisions; administration.**

15 (1) ESTIMATE OF MEDICAL ASSISTANCE TRUST FUND REVENUE.

16 (a) *Estimate for fiscal year 2003–04.* Before January 1, 2004, the secretary of
17 administration shall estimate the total amount that will be deposited into the

1 Medical Assistance trust fund for state fiscal year 2003–04 that will exceed
2 \$550,000,000.

3 (b) *Estimate for fiscal year 2004–05.* Before January 1, 2005, the secretary of
4 administration shall estimate the total amount that will be deposited into the
5 Medical Assistance trust fund for state fiscal year 2004–05 that will exceed
6 \$80,000,000.

7 **SECTION 9224. Appropriation changes; health and family services.**

8 (1) **MEDICAL ASSISTANCE REDUCTION.** In the schedule under section 20.005 (3) of
9 the statutes for the appropriation to the department of health and family services
10 under section 20.435 (4) (b) of the statutes, as affected by the acts of 2003, the dollar
11 amount is decreased for fiscal year 2003–04 by the amount estimated under SECTION
12 9101 (1) (a), and the dollar amount is decreased for fiscal year 2004–05 by the amount
13 estimated under SECTION 9101 (1) (b), to decrease funding for the purposes for which
14 the appropriation is made.

15 (2) **MEDICAL ASSISTANCE TRUST FUND.** In the schedule under section 20.005 (3)
16 of the statutes for the appropriation to the department of health and family services
17 under section 20.435 (4) (w) of the statutes, as affected by the acts of 2003, the dollar
18 amount is increased for fiscal year 2003–04 by the amount estimated under SECTION
19 9101 (1) (a) for fiscal year 2003–04, and the dollar amount is increased for fiscal year
20 2004–05 by the amount estimated under SECTION 9101 (1) (b) for fiscal year 2004–05.

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(END)