

2011 DRAFTING REQUEST

Bill

Received: 05/16/2011

Received By: rchampag

Wanted: Soon

Companion to LRB:

For: Jeff Fitzgerald (608) 266-2540

By/Representing: Jason

May Contact:

Drafter: rchampag

Subject: State Finance - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Fitzgerald@legis.wisconsin.gov

Carbon copy (CC:) to: bob.lang@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Allocation of GPR Surplus in FY2011

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	rchampag 05/16/2011	nnatzke 05/17/2011	jfrantze 05/17/2011	_____	ggodwin 05/17/2011		State
/2	rchampag 05/17/2011 tdodge 05/17/2011	nnatzke 05/18/2011	jfrantze 05/18/2011	_____ _____ _____	sbasford 05/18/2011		State
/3	rchampag	wjackson	jfrantze	_____	mbarman		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	05/18/2011 tdodge 05/18/2011	05/18/2011	05/19/2011	_____	05/19/2011		
/4	tdodge 05/19/2011 rchampag 05/19/2011 chanaman 05/20/2011	nmatzke 05/19/2011 wjackson 05/20/2011	rschluet 05/19/2011	_____	ggodwin 05/19/2011		State
/5			mduchek 05/20/2011	_____	lparisi 05/20/2011	sbasford 05/23/2011	

FE Sent For:

*at intro  
5/25*

<END>

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Carbon copy (CC:) to: **BOB.LANG@LEGIS.WISCONSIN.GOV**

*- PLEASE EMAIL /S TO BOB*

**Pre Topic:**

No specific pre topic given

**Topic:**

Allocation of GPR Surplus in FY2011

**Instructions:**

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15 WCLJ 5/20

MS

S/20 <END>

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EMAIL Bob Long  
at LFB

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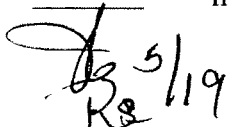
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See attached.

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		13 WLJ 5/18		Jb 5/19			

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1/2 nwn  
5/18  
Jo  
5/18  
RS  
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<END>

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1?	rchampag	1 nwn 5/16	 5/17	pk 5/17			

FE Sent For:

<END>

## Champagne, Rick

---

**From:** Bauknecht, Jason  
**Sent:** Monday, May 16, 2011 11:51 AM  
**To:** Champagne, Rick  
**Subject:** RE: Email from LRB Website

Thanks Rick. Yes you can share the memo.

Jason

---

**From:** Champagne, Rick  
**Sent:** Monday, May 16, 2011 11:43 AM  
**To:** Bauknecht, Jason  
**Subject:** RE: Email from LRB Website

Jason:

I have the draft underway. It looks like we do not have to draft anything for the Minnesota-Wisconsin Tax Reciprocity Item or the Property Tax Credit Item or the Tobacco Settlement Revenues Item. All of these items are either funded from sum sufficient appropriations or are estimates of GPR-earned revenues. For the Injured Patients and Families Compensation Fund Item, I am simply transferring \$50,000,000 from the general fund to the the Injured Patients and Families Compensation Fund.

I spoke with Fiscal Bureau about these items just to make sure and they agreed. By the way, is it OK if I share a copy of Brian's memo with Fiscal Bureau? I wanted to check with you first before I did so.

Rick

---

**From:** Bauknecht, Jason  
**Sent:** Monday, May 16, 2011 10:14 AM  
**To:** Champagne, Rick  
**Subject:** Email from LRB Website

Richard, could we please allocate \$50 million to the Patients Comp. Fund instead of the estimated repayment of \$234 million?

Thank you for your help and urgency with this bill.

Jason



**WISCONSIN DEPARTMENT OF  
ADMINISTRATION**

**SCOTT WALKER**  
GOVERNOR

**MIKE HUEBSCH**  
SECRETARY

Division of Executive Budget and Finance  
Post Office Box 7864  
Madison, WI 53707-7864  
Voice (608) 266-1736  
Fax (608) 267-0372

**Date:** May 11, 2011  
**To:** Mike Huebsch  
Secretary of Administration  
**From:** Brian Hayes  
State Budget Director  
**Subject:** Fiscal Year 2010-11 Fiscal Pressures

As we enter the last two months of fiscal year 2010-11, there are a number of fiscal pressures that need to be kept in mind as the Legislature completes work on the budget. These include shortfalls due to inaction by the previous administration regarding required lapses, legal commitments and reestimates of sum sufficient appropriations. These items, and the related fiscal effects, are listed below. Through 2011 Wisconsin Act 13, and based on the Governor's budget recommendations for the 2011-13 biennium, the general fund balance is currently estimated at \$83 million on June 30, 2011, and \$76 million on June 30, 2013. The total impact of the items below, net of amounts already included in your proposed budget, is \$382 million through June 30, 2013. As you will notice, these additional fiscal pressures exceed current estimates of general fund balances through that same period.

✓	<u>Injured Patients and Families Compensation Fund (IPFCF)</u>	<u>Fiscal Effect</u> <del>\$234 million</del> <span style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block;">50 million in budget</span>
---	--	--

The State Supreme Court determined that the transfer from the IPFCF to the Medical Assistance Trust Fund made in the 2007-09 budget was unconstitutional and the funds must be restored, including lost investment earnings. Discussions have been proceeding with the Wisconsin Medical Society on reaching a settlement of this matter. Based on estimates of lost investment earnings through December 2010, the state would have to repay \$234 million to the IPFCF. While the Governor's budget sets aside \$25 million GPR annually in anticipation of a long-term payment solution, the lowest cost approach would be to repay the transfer as rapidly as possible to avoid further interest costs.

Minnesota-Wisconsin Tax Reciprocity \$60 million

MES  
Wisconsin owes the State of Minnesota for the last payment associated with the recently terminated income tax reciprocity program. While the Governor's budget recommendations to the Legislature assume this funding will be paid in fiscal year 2011-12, interest is accruing daily on the unpaid balance.

do not need a draft

Fiscal Effect

Statutorily-Required Agency Lapses

\$84 million

In 2011 Wisconsin Act 10, \$29.8 million in lapses are required from fiscal year 2010-11 appropriations to state agencies, the courts and Legislature associated with savings from increased state employee contributions for health insurance and pensions which were scheduled to begin in late March. However, due to the temporary restraining order issued by the Dane County Circuit Court, these provisions have not been implemented. As a result, the fiscal year 2010-11 lapse requirement cannot be fulfilled.

In 2009 Wisconsin Acts 2 and 28, a \$680 million lapse to the general fund is required from state agency appropriations for fiscal years 2008-09 through 2010-11. This requirement was reduced by \$79 million in 2011 Wisconsin Act 13. However, upon further review of appropriations, and the Governor's goal of avoiding cuts in this fiscal year to school aid and the University of Wisconsin System prior to implementation of cost-savings measures included in 2011 Act 10 and the Governor's 2011-13 budget proposals, the lapse target will have to be reduced by another \$54 million.

State Capitol Security Costs

\$8 million

JTK  
Local law enforcement personnel provided invaluable public safety support during the recent demonstrations in the State Capitol building. Local governments that employ these personnel need to be reimbursed for those costs. Current estimates, based on reimbursement requests from the affected local governments, place the personnel and related costs at approximately \$5 million.

Property Tax Credits

\$53 million

MES  
do not need draft  
Based on preliminary information from the Department of Revenue, it is anticipated that the homestead and veterans and surviving spouses property tax credits will exceed estimates made in January 2011 by a total of \$18 million in fiscal year 2010-11. The higher costs in the current fiscal year are also expected to continue into the 2011-13 biennium, adding \$35 million to estimates made in the Governor's budget recommendations to the Legislature.

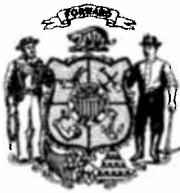
Tobacco Settlement Revenues

\$56 million

PKK  
Under the master settlement agreement between participating states and tobacco companies, payments are made to states based on tobacco consumption and price inflation. Tobacco companies are also allowed to make partial payments and escrow the balance in response to concerns regarding state enforcement actions related to tobacco companies that are not a part of the settlement agreement. Through 2011, over \$70 million of settlement payments to Wisconsin have been escrowed. The amount escrowed increased significantly this year with the Philip Morris Company escrowing a portion of its settlement payments for the first time. Due to these actions, and declines in consumption compared with projections made in the settlement agreement, the estimates made in the Governor's budget for tobacco settlement revenues are currently being revised and may have to be reduced by up to \$56 million.

Please let me know if you would like to discuss these issues further.

do not need a draft



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-2096/1  
RAC&JTK:f:....  
nwn

TUESDAY

2011 BILL

- gen. cat.

1 AN ACT ...; relating to: changes affecting state finances in the 2010-11 fiscal  
year and making an appropriation

Analysis by the Legislative Reference Bureau

This bill makes all of the following changes relating to state finances during the 2010-11 fiscal year:

1. The bill repeals all lapse requirements under 2011 Wisconsin Act 10 relating to lapses from state agencies, the office of the governor, the legislature and the courts that were intended to capture employer savings from fringe benefit changes under that act.

2. The bill transfers \$50,000,000 from the general fund to the injured patients and families compensation fund. the transferred moneys must be used for the purpose of paying the amount ordered by the court in Wisconsin Medical Society, Inc. v. Morgan, 2010 WI 94. In that case, the court held that a transfer of \$200,000,000 from the injured patients and families compensation fund to the Medical Assistance trust fund, which was required by 2007 Wisconsin Act 20, was unconstitutional.

Insert Analysis

3. 2007 Wisconsin Act 20 required that \$200,000,000 be lapsed or transferred to the general fund during the 2010-11 fiscal year. 2011 Wisconsin Act 13 reduced this amount to \$121,000,000. This bill further reduces this amount to \$67,000,000.

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

e 2009 biennium

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



**SECTION 1**

**BILL** [ Ins 2-1a  
Ins 2-1b

Truitt 2-1a  
4/16

1

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

2

3

[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.

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

12

**SECTION 3.** 2011 Wisconsin Act 10, section 9230 is repealed.

13

**SECTION 4.** 2011 Wisconsin Act 10, section 9245 is repealed.

14

**SECTION 5.** 2011 Wisconsin Act 10, section 9255 is repealed.

15

**SECTION 9225. Fiscal changes; Insurance.**

16

(1) TRANSFER TO INJURED PATIENTS AND FAMILIES COMPENSATION FUND. There is transferred from the general fund to the injured patients and families compensation fund \$50,000,000 in fiscal year 2010-11. 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.

17

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(END)

Insert 2-16

2001

LRB -209611

File With Statute **20.005 (3)** Schedule

JFK : \_\_\_\_\_

\$\$\$ SCHEDULE

In the component bar:

For the action phrase, execute: ..... create → action: → ch20

For the table layout, execute: ..... create → <Table> → \$sched

SECTION #. 2-la 20.005 (3) (schedule) of the statutes: at the appropriate place,

insert the following amounts for the purposes indicated:

	(B)	(lc)	2009-10	2010-11
			<del>2001-02</del>	<del>2002-03</del>
20.005	<del>ADMINISTRATIVE</del>			
	<del>DEPARTMENT OF</del>			
(4)	<del>SUPERVISORY AND</del>	(cs)		
	<del>MANAGEMENT</del>			
(da)	Extraordinary police			
	services provided to			
	State facilities ✓	GPR ✓	-0-	8,000,000 ✓

Attached divisions and other bodies

20. ....

( ) .....

( ) .....

.....

*Extraordinary police services provided to state facilities*

4. This bill appropriates \$8,000,000 in general purpose revenue to be used to pay for the costs of extraordinary police services provided to state facilities upon request of a state officer or agency responsible for the operation and preservation of such facilities. Under the bill, these moneys are available to reimburse local governments who provided extraordinary police services to protect the state capitol or other state facilities upon request of the Department of Administration, upon approval of the Joint Committee on Finance. Under current law, the officer or agency who requests these services must review any claim submitted to the state for reimbursement of these service costs and the claim must be approved by the claims board and the legislature. ✓

Insert  
Analysis

1 SECTION 1. 20.505 (4) (da) of the statutes is created to read:

2 20.505 (4) (da) *Extraordinary police services provided to state facilities. The*  
3 *As a continuing appropriation, the* amounts in the schedule to pay for extraordinary police services provided directly to  
4 state facilities under s. 16.008.

2-16  
↑  
"b"

5 SECTION <sup>9101</sup> 2. Nonstatutory provisions

Administration

6 (1) EXTRAORDINARY POLICE SERVICES PROVIDED TO STATE FACILITIES. Before  
7 expenditure of any moneys appropriated under section 20.505 (4) (da) of the statutes,  
8 as created by this act, the secretary of administration shall report to the  
9 cochairpersons of the joint committee on finance the specific items proposed to be  
10 expended. No moneys may be expended from that appropriation until the proposed  
11 expenditure is approved by the committee. ✓

2-16

Per Jason in Fitzgerald's office:

- ① Decrease General fund statutory balance in 2010-11 ~~to~~ \$10 million.
- ② Put language in bill directing payment of MAIAA-WIS tax reciprocity in 2010-11
- ③ Put language in bill directing payment / funding of property tax credits in Item on 2nd page of original instructions
- ④ Pay Wis. Med Society v. Morgan before 8/31/2006
- ⑤ Fund MA shortfall of \$72 million



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-2096/1

RAC/STH/nwn:jf

2

RMP

NOW  
WED AM

2011 BILL

RAC/STH/MES/TJD

Regen.

1 AN ACT *to create* 20.505 (4) (da) of the statutes; and *to affect* 2007 Wisconsin  
 2 Act 20, section 9201 (1c) (a), 2011 Wisconsin Act 10, section 9219, 2011  
 3 Wisconsin Act 10, section 9230, 2011 Wisconsin Act 10, section 9245 and 2011  
 4 Wisconsin Act 10, section 9255; **relating to:** changes affecting state finances  
 5 in the 2010-11 fiscal year and making an appropriation.

***Analysis by the Legislative Reference Bureau***

This bill makes all of the following changes relating to state finances during the 2010-11 fiscal year:

1. The bill repeals all lapse requirements under 2011 Wisconsin Act 10 relating to lapses from state agencies, the office of the governor, the legislature, and the courts that were intended to capture employer savings from fringe benefit changes under that act.

2. The bill transfers \$50,000,000 from the general fund to the injured patients and families compensation fund. The transferred moneys must be used for the purpose of paying the amount ordered by the court in *Wisconsin Medical Society, Inc. v. Morgan*, 2010 WI 94. In that case, the court held that a transfer of \$200,000,000 from the injured patients and families compensation fund to the Medical Assistance trust fund, which was required by 2007 Wisconsin Act 20, was unconstitutional.

3. 2007 Wisconsin Act 20 required that \$200,000,000 be lapsed or transferred to the general fund during the 2009-11 fiscal biennium. 2011 Wisconsin Act 13 reduced this amount to \$121,000,000. This bill further reduces this amount to \$67,000,000.

**BILL**

4. This bill appropriates \$8,000,000 in general purpose revenue to be used to pay for the costs of extraordinary police services provided to state facilities upon request of a state officer or agency responsible for the operation and preservation of such facilities. Under the bill, these moneys are available to reimburse local governments who provided extraordinary police services to protect the state capitol or other state facilities upon request of the Department of Administration, upon approval of the Joint Committee on Finance. Under current law, the officer or agency who requests these services must review any claim submitted to the state for reimbursement of these service costs and the claim must be approved by the claims board and the legislature.

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

Insert Analysis RC

Insert Analysis TD

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

Insert 2-1

1 SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
2 the following amounts for the purposes indicated:

			2009-10	2010-11
3				
4	<b>20.505 Administration, department of</b>			
5	(4) ATTACHED DIVISIONS AND OTHER BODIES			
6	(da) Extraordinary police services			
7	provided to state facilities	GPR C	-0-	8,000,000

8 SECTION 2. 20.505 (4) (da) of the statutes is created to read:  
9 20.505 (4) (da) *Extraordinary police services provided to state facilities.* As a  
10 continuing appropriation, the amounts in the schedule to pay for extraordinary  
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12 SECTION 3. 2007 Wisconsin Act 20, section 9201 (1c) (a), as affected by 2011  
13 Wisconsin Act 13, is amended to read:

14 [2007 Wisconsin Act 20] Section 9201 (1c) (a) Notwithstanding sections 20.001  
15 (3) (a) to (c) and 25.40 (3) of the statutes, but subject to paragraph (d), the secretary

**BILL**

1 of administration shall lapse to the general fund or transfer to the general fund from  
2 the unencumbered balances of state operations appropriations to executive branch  
3 state agencies, other than sum sufficient appropriations and appropriations of  
4 federal revenues, an amount equal to \$200,000,000 during the 2007-09 fiscal  
5 biennium and ~~\$121,000,000~~ \$67,000,000 during the 2009-11 fiscal biennium. This  
6 paragraph shall not apply to appropriations to the Board of Regents of the University  
7 of Wisconsin System and to the technical college system board.

8 **SECTION 4.** 2011 Wisconsin Act 10, section 9219 is repealed.

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

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

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

12 **SECTION 9101. Nonstatutory provisions; Administration.**

13 (1) EXTRAORDINARY POLICE SERVICES PROVIDED TO STATE FACILITIES. Before  
14 expenditure of any moneys appropriated under section 20.505(4)(da) of the statutes,  
15 as created by this act, the secretary of administration shall report to the  
16 cochairpersons of the joint committee on finance the specific items proposed to be  
17 expended. No moneys may be expended from that appropriation until the proposed  
18 expenditure is approved by the committee.

19 **SECTION 9225. Fiscal changes; Insurance.**

20 3-17b (1) TRANSFER TO INJURED PATIENTS AND FAMILIES COMPENSATION FUND. There is  
21 transferred from the general fund to the injured patients and families compensation  
22 fund \$50,000,000 in fiscal year 2010-11. Moneys transferred under this subsection  
23 shall be used for the purpose of paying the amount ordered by the court in Wisconsin  
24 Medical Society, Inc. v. Morgan, 2010 WI 94.

25 (END)

Insert 3-18

Insert 3-19

stet

→ Insert 3-18TD

2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2096/2ins  
RAC::

**Insert AnalysisRC:**

5. <sup>2-4.</sup> (5) Current law 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 2010-11, the amount is \$65,000,000. This bill reduces the amount to \$10,000,000.
- (6) The bill requires the state to pay the full amount ordered by the court in *Wisconsin Medical Society, Inc. v. Morgan*, 2010 WI 94, before August 31, 2011.

**Insert 2-1:**

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

20.003 (4) (fx) For fiscal year 2010-11, \$65,000,000 ~~\$65,000,000~~ \$10,000,000.

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; 2003 a. 33; 2005 a. 2, 25; 2007 a. 20; 2009 a. 28.

**insert 3-19:**

**SECTION 9155. Nonstatutory provisions; Other.**

(1) PAYMENT OF THE AMOUNT ORDERED BY THE COURT IN WISCONSIN MEDICAL SOCIETY, INC. V. MORGAN. The state shall pay the full amount ordered by the court in *Wisconsin Medical Society, Inc. v. Morgan*, 2010 WI 94, before August 31, 2011.



1           INSERT ANALYSIS TD

6. The bill increases amount that the Department of Health Services<sup>✓</sup> is authorized to spend from the Medical Assistance appropriation account that derives from general purpose revenue<sup>✓</sup> to pay for certain services under the Medical Assistance program 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 in June 2011, to individuals enrolled in care management organizations and managed care systems.<sup>✓</sup>

(END INSERT ANALYSIS TD)

2           INSERT 3-18TD

3           **SECTION 9221. Fiscal changes; Health Services.**<sup>✓</sup>

4           (1) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE.<sup>✓</sup> In the schedule under  
5 section 20.005 (3) of the statutes for the appropriation to the department of health  
6 services under section 20.435 (4) (b)<sup>✓</sup> of the statutes, as affected by the acts of 2011,  
7 the dollar amount is increased by \$72,000,000 for the 2010-11 fiscal year for the  
8 purposes for which the appropriation is made and to pay capitation payments to care  
9 management organizations and other entities that provide services to medical  
10 assistance recipients under a managed care system for services provided in June  
11 2011, to individuals enrolled in care management organizations and managed care  
12 systems.<sup>✓</sup>

(END INSERT 3-18TD)

2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2096/lins  
RAC&JTK:nwn:jf

INS 3-18

~~§~~ VETERANS AND SURVIVING SPOUSES PROPERTY TAX CREDIT. For claims relating to a taxable year ending before January 1, 2011, from the appropriation account under section 20.835 (2) (em) of the statutes, the secretary of administration shall make the payments required under section 71.07 (6e) (b) of the statutes to all eligible claimants no later than June 30, 2011.

~~§~~ HOMESTEAD CREDIT. For claims relating to a taxable year ending before January 1, 2011, from the appropriation account under section 20.835 (2) (c) of the statutes, the secretary of administration shall make the payments required under section 71.53 (1) (a) of the statutes to all eligible claimants no later than June 30, 2011.

---

**SECTION 9141. Nonstatutory provisions; Revenue.**

3-19 a

(1) MINNESOTA INCOME TAX RECIPROCITY. From the appropriation account under section 20.855 (4) (c) of the statutes, the secretary of revenue shall make the payments required under section 71.10 (7) of the statutes to the state of Minnesota no later than June 30, 2011.

## Champagne, Rick

---

**From:** Bott, Eric  
**Sent:** Wednesday, May 18, 2011 2:03 PM  
**To:** Champagne, Rick  
**Cc:** Bauknecht, Jason  
**Subject:** LRB - 2096/2

Rick,

We need to make two additional changes to LRB 2096/2.

In order to capture greater federal matching dollars we would like to add language to allow DHS to make our July payment early (in June 2011).

In order to pay for this we must remove the language that transfers \$50 million from the General Fund to be used towards paying off the settlement over the IPFCF.

Please keep in place language requiring that the settlement be paid off by August 31, 2011.

Please let Jason Bauknecht or I know if you have any questions.

Thank you,

Eric Bott  
Policy Director  
Office of Rep. Jeff Fitzgerald  
Speaker of the Wisconsin State Assembly  
(608) 261-5683



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-2096/2 3  
RAC/MES/TJD:nwn:jf

In: 5/18/11 Thurs  
Am

2011 BILL ASAP

+TWJ  
RMR

reynolds

1 AN ACT to amend 20.003 (4) (fx) of the statutes; and to affect 2007 Wisconsin  
2 Act 20, section 9201 (1c) (a), 2011 Wisconsin Act 10, section 9219, 2011  
3 Wisconsin Act 10, section 9230, 2011 Wisconsin Act 10, section 9245 and 2011  
4 Wisconsin Act 10, section 9255; relating to: changes affecting state finances  
5 in the 2010-11 fiscal year and making an appropriation.

**Analysis by the Legislative Reference Bureau**

This bill makes all of the following changes relating to state finances during the 2010-11 fiscal year:

1. The bill repeals all lapse requirements under 2011 Wisconsin Act 10 relating to lapses from state agencies, the office of the governor, the legislature, and the courts that were intended to capture employer savings from fringe benefit changes under that act.

2. The bill transfers \$50,000,000 from the general fund to the injured patients and families compensation fund. The transferred moneys must be used for the purpose of paying the amount ordered by the court in *Wisconsin Medical Society, Inc. v. Morgan*, 2010 WI 94. In that case, the court held that a transfer of \$200,000,000 from the injured patients and families compensation fund to the Medical Assistance trust fund, which was required by 2007 Wisconsin Act 20, was unconstitutional.

3. 2007 Wisconsin Act 20 required that \$200,000,000 be lapsed or transferred to the general fund during the 2009-11 fiscal biennium. 2011 Wisconsin Act 13 reduced this amount to \$121,000,000. This bill further reduces this amount to \$67,000,000.

Moved to  
PS 2

2.2

**BILL**

3.  
 4. Current law 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 2010-11, the amount is \$65,000,000. This bill reduces the amount to \$10,000,000.

4.2 5. The bill requires the state to pay the full amount ordered by the court in *Wisconsin Medical Society, Inc. v. Morgan*, 2010 WI 94, before August 31, 2011. ↑

5.4 6. The bill increases amount that the Department of Health Services is authorized to spend from the Medical Assistance appropriation account that derives from general purpose revenue to pay for certain services under the Medical Assistance program 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 in June 2011, to individuals enrolled in care management organizations and managed care systems.

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) (fx) of the statutes is amended to read:

20.003 (4) (fx) For fiscal year 2010-11, \$65,000,000 \$10,000,000.

SECTION 2. 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.

From PS-1

the

No 11

and July

**BILL**

1           **SECTION 3.** 2011 Wisconsin Act 10, section 9219 is repealed.

2           **SECTION 4.** 2011 Wisconsin Act 10, section 9230 is repealed.

3           **SECTION 5.** 2011 Wisconsin Act 10, section 9245 is repealed.

4           **SECTION 6.** 2011 Wisconsin Act 10, section 9255 is repealed.

5           **SECTION 9101. Nonstatutory provisions; Administration.**

6           (1) **VETERANS AND SURVIVING SPOUSES PROPERTY TAX CREDIT.** For claims relating  
7 to a taxable year ending before January 1, 2011, from the appropriation account  
8 under section 20.835 (2) (em) of the statutes, the secretary of administration shall  
9 make the payments required under section 71.07 (6e) (b) of the statutes to all eligible  
10 claimants no later than June 30, 2011.

11           (2) **HOMESTEAD CREDIT.** For claims relating to a taxable year ending before  
12 January 1, 2011, from the appropriation account under section 20.835 (2) (c) of the  
13 statutes, the secretary of administration shall make the payments required under  
14 section 71.53 (1) (a) of the statutes to all eligible claimants no later than June 30,  
15 2011.

16           **SECTION 9141. Nonstatutory provisions; Revenue.**

17           (1) **MINNESOTA INCOME TAX RECIPROCITY.** From the appropriation account under  
18 section 20.855 (4) (c) of the statutes, the secretary of revenue shall make the  
19 payments required under section 71.10 (7) of the statutes to the state of Minnesota  
20 no later than June 30, 2011.

21           **SECTION 9155. Nonstatutory provisions; Other.**

22           (1) **PAYMENT OF THE AMOUNT ORDERED BY THE COURT IN WISCONSIN MEDICAL**  
23 **SOCIETY, INC. V. MORGAN.** The state shall pay the full amount ordered by the court in  
24 Wisconsin Medical Society, Inc. v. Morgan, 2010 WI 94, before August 31, 2011.

25           **SECTION 9221. Fiscal changes; Health Services.**

**BILL**

1 (1) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE. In the schedule under  
 2 section 20.005 (3) of the statutes for the appropriation to the department of health  
 3 services under section 20.435 (4) (b) of the statutes, as affected by the acts of 2011,  
 4 the dollar amount is increased by \$72,000,000 for the 2010-11 fiscal year for the  
 5 purposes for which the appropriation is made and to pay capitation payments to care  
 6 management organizations and other entities that provide services to medical  
 7 assistance recipients under a managed care system for services provided in June  
 8 2011, to individuals enrolled in care management organizations and managed care  
 9 systems.

*and July*

**SECTION 9225. Fiscal changes; Insurance.**

10 ~~(1) TRANSFER TO INJURED PATIENTS AND FAMILIES COMPENSATION FUND. There is~~  
 11 ~~transferred from the general fund to the injured patients and families compensation~~  
 12 ~~fund \$50,000,000 in fiscal year 2010-11. Moneys transferred under this subsection~~  
 13 ~~shall be used for the purpose of paying the amount ordered by the court in Wisconsin~~  
 14 ~~Medical Society, Inc. v. Morgan, 2010 WI 94.~~

(END)

- ✓ SEC 1 - drop
- ✓ SEC 2 - good
- ✓ SEC 3-6 - good
- ✓ SEC 901 - drop
- ✓ SEC 9141 - drop
- ✓ SEC 9155 - "as soon as practical"
- ✗ SEC 9221 - \$150,000,000 instead of \$72,000

✗ (1) + Reduce MA ~~2010-11~~ 20.435(4)(b)  
2011-12

\$173,000,000

✗ (2) Bring back 2010-11 \$15,000,000  
2011-12 \$109,000,000

✓ (3) Act 10 9227(2)  
✗ 9221(2)



**May, 2011, Budget Adjustment Bill  
General Fund Fiscal Effects**

**2010-11**

<i>Revenues</i>	
Reduction in DOA Required Transfers/Lapses to General Fund	-\$54,000,000
<i>Appropriations</i>	
Medical Assistance Benefits to capture Higher FMAP (June and July Payment)	144,000,000 ✓
Transfer to the Injured Patients and Families Compensation Fund	20,000,000
- Family Care Aging and Disability resource Centers	-3,100,000
- Joint Finance Committee Supplemental Appropriation	<u>-4,590,400</u>
Total	\$156,309,600
Effect on 2010-11 General Fund Balance	\$210,309,600

**2011-12**

<i>Appropriations</i>	
Reduce Medical Assistance Benefits	-\$168,200,000 ✓
Transfer to the Injured Patients and Families Compensation Fund	<u>164,000,000</u> ✓
Effect on 2011-12 General Fund Balance	-\$4,200,000

Handwritten calculations and notes:

- 2321 (circled)
- 170
- 15
- 185
- 30
- 139
- 173
- 165
- 130
- 20
- 164
- 50 (circled)
- 294



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-2096/04

RAC/MB/TJD:nwn&wlj:jf

Today, if possible

2011 BILL

- replen cat

1 AN ACT to amend 20.003 (4) (fx) of the statutes; and to affect 2007 Wisconsin  
2 Act 20, section 9201 (1c) (a), 2011 Wisconsin Act 10, section 9219, 2011  
3 Wisconsin Act 10, section 9230, 2011 Wisconsin Act 10, section 9245 and 2011  
4 Wisconsin Act 10, section 9255; relating to: changes affecting state finances  
5 in the 2010-11 fiscal year and making an appropriation.

**Analysis by the Legislative Reference Bureau**

This bill makes all of the following changes relating to state finances during the 2010-11 fiscal year:

1. The bill repeals all lapse requirements under 2011 Wisconsin Act 10 relating to lapses from state agencies, the office of the governor, the legislature, and the courts that were intended to capture employer savings from fringe benefit changes under that act.

2. 2007 Wisconsin Act 20 required that \$200,000,000 be lapsed or transferred to the general fund during the 2009-11 fiscal biennium. 2011 Wisconsin Act 13 reduced this amount to \$121,000,000. This bill further reduces this amount to \$67,000,000.

3. Current law 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 2010-11, the amount is \$65,000,000. This bill reduces the amount to \$10,000,000.

**BILL**

as soon as practical ✓

3 The bill requires the state to pay the full amount ordered by the court in *Wisconsin Medical Society, Inc. v. Morgan*, 2010 WI 94, before August 31, 2011. In that case, the court held that a transfer of \$200,000,000 from the injured patients and families compensation fund to the Medical Assistance trust fund, which was required by 2007 Wisconsin Act 20, was unconstitutional. <sup>no ft</sup>

Insert Analysis

4 6. The bill increases the amount that the Department of Health Services is authorized to spend from the Medical Assistance appropriation account that derives from general purpose revenue to pay for certain services under the Medical Assistance program 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 in June and July 2011, to individuals enrolled in care management organizations and managed care systems.

in fiscal year 2010-11 ✓

(DHS) ✓

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

Insert Analysis 10/15/2011

Insert Analysis TD

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

1 SECTION 1. 20.003 (4) (fx) of the statutes is amended to read:  
2 20.003 (4) (fx) For fiscal year 2010-11, \$65,000,000 ~~\$10,000,000~~.

3 SECTION 2. 2007 Wisconsin Act 20, section 9201 (1c) (a), as affected by 2011  
4 Wisconsin Act 13, is amended to read:

5 [2007 Wisconsin Act 20] Section 9201 (1c) (a) Notwithstanding sections 20.001  
6 (3) (a) to (c) and 25.40 (3) of the statutes, but subject to paragraph (d), the secretary  
7 of administration shall lapse to the general fund or transfer to the general fund from  
8 the unencumbered balances of state operations appropriations to executive branch  
9 state agencies, other than sum sufficient appropriations and appropriations of  
10 federal revenues, an amount equal to \$200,000,000 during the 2007-09 fiscal  
11 biennium and ~~\$121,000,000~~ \$67,000,000 during the 2009-11 fiscal biennium. This  
12 paragraph shall not apply to appropriations to the Board of Regents of the University  
13 of Wisconsin System and to the technical college system board.

14 SECTION 3. 2011 Wisconsin Act 10, section 9219 is repealed.

Insert 2-14 ✓

*Insert* BILL ✓✓  
3-1-TD →

1           **SECTION 4.** 2011 Wisconsin Act 10, section 9230 is repealed.

2           **SECTION 5.** 2011 Wisconsin Act 10, section 9245 is repealed.

3           **SECTION 6.** 2011 Wisconsin Act 10, section 9255 is repealed.

4           **SECTION 9101. Nonstatutory provisions; Administration.**

5           (1) **VETERANS AND SURVIVING SPOUSES PROPERTY TAX CREDIT.** For claims relating  
6 to a taxable year ending before January 1, 2011, from the appropriation account  
7 under section 20.835 (2) (em) of the statutes, the secretary of administration shall  
8 make the payments required under section 71.07 (6e) (b) of the statutes to all eligible  
9 claimants no later than June 30, 2011.

10          (2) **HOMESTEAD CREDIT.** For claims relating to a taxable year ending before  
11 January 1, 2011, from the appropriation account under section 20.835 (2) (c) of the  
12 statutes, the secretary of administration shall make the payments required under  
13 section 71.53 (1) (a) of the statutes to all eligible claimants no later than June 30,  
14 2011.

15          **SECTION 9141. Nonstatutory provisions; Revenue.**

16          (1) **MINNESOTA INCOME TAX RECIPROCITY.** From the appropriation account under  
17 section 20.855 (4) (c) of the statutes, the secretary of revenue shall make the  
18 payments required under section 71.10 (7) of the statutes to the state of Minnesota  
19 no later than June 30, 2011.

20          **SECTION 9155. Nonstatutory provisions; Other.**

21          (1) **PAYMENT OF THE AMOUNT ORDERED BY THE COURT IN WISCONSIN MEDICAL**  
22 **SOCIETY, INC. V. MORGAN.** The state shall pay the full amount ordered by the court in  
23 Wisconsin Medical Society, Inc. v. Morgan, 2010 WI 94, *as soon as practical*  
*before August 31, 2011.*

24          **SECTION 9221. Fiscal changes; Health Services.**

**BILL**

150

1 (1) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE. In the schedule under  
 2 section 20.005 (3) of the statutes for the appropriation to the department of health  
 3 services under section 20.435 (4) (b) of the statutes, as affected by the acts of 2011,  
 4 the dollar amount is increased by \$72,000,000 for the 2010-11 fiscal year for the  
 5 purposes for which the appropriation is made and to pay capitation payments to care  
 6 management organizations and other entities that provide services to medical  
 7 assistance recipients under a managed care system for services provided in June and  
 8 July 2011, to individuals enrolled in care management organizations and managed  
 9 care systems. ✓

10

(END)

Insert 4-10a-TD

Insert 4-10b-RC

**2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2096/4insRC  
RAC:.....

**Insert Anal1RC:**

The bill transfers \$15,000,000 in fiscal year 2010-11<sup>✓</sup> and \$169,000,000 in fiscal year 2011-12<sup>✓</sup> from the general fund to the injured patients and families compensation fund.<sup>✓</sup> The transferred moneys must be used for the purpose of paying the amount ordered by the court in *Wisconsin Medical Society, Inc. v. Morgan*.<sup>✓</sup>

**Insert Anal2RC:**

(5)<sup>6.</sup> The bill reduces the general purpose revenue funds general program supplements appropriation to the Joint Committee on Finance by \$4,590,400.<sup>✓</sup>

**Insert 2-14:**

**SECTION 1.** 2011 Wisconsin Act 10, section 9227 (2) is repealed.<sup>✓</sup>

**Insert 4-10b:**

**SECTION 9225. Fiscal changes; Insurance.**<sup>✓</sup>

(1) TRANSFER TO INJURED PATIENTS AND FAMILIES COMPENSATION FUND. There is transferred from the general fund to the injured patients and families compensation fund<sup>✓</sup> \$15,000,000 in fiscal year 2010-11 and \$169,000,000 in fiscal year 2011-12.<sup>✓</sup> Moneys transferred under this subsection<sup>✓</sup> shall be used for the purpose of paying the amount ordered by the court in *Wisconsin Medical Society, Inc. v. Morgan*, 2010 WI 94.<sup>✓</sup>

**SECTION 9227. Fiscal changes; Joint Committee on Finance.**

(1) GENERAL PURPOSE REVENUE FUNDS GENERAL PROGRAM SUPPLEMENTATION.<sup>✓</sup> 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)<sup>✓</sup> of the statutes, as affected by the acts of 2011, the dollar amount is decreased by \$4,590,400<sup>✓</sup> for the second fiscal year of the fiscal biennium in which this subsection<sup>✓</sup> takes effect to reduce expenditures for the purpose for which the appropriation is made.<sup>✓</sup>

1 INSERT ANALYSIS TD

*not* → The bill decreases the amount that DHS is authorized to spend in fiscal year 2011-12 from that appropriation account. ✓

*9* → ~~5. 9~~ (6) The bill decreases the amount that DHS is authorized to spend from the appropriation account that is derived from general purpose revenue ✓ and that provides moneys for community aids, including certain long-term care services.

(END INSERT ANALYSIS TD)

2 INSERT 3-1-TD

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

(END INSERT 3-1-TD)

*Create*  
4 *ARA* INSERT 4-10-TD

5 ~~(1)~~ MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE DECREASE. ✓ In the schedule  
6 under section 20.005 (3) of the statutes for the appropriation to the department of  
7 health services under section 20.435 (4) (b) ✓ of the statutes, as affected by the acts of  
8 2011, the dollar amount is decreased by \$173,000,000 for the 2011-12 fiscal year for  
9 the purposes for which the appropriation is made and for capitation payments to care  
10 management organizations and other entities that provide services to medical  
11 assistance recipients under a managed care system for services provided in June and  
12 July 2011, to individuals enrolled in care management organizations and managed  
13 care systems. ✓

14 ~~(1)~~ COMMUNITY AIDS APPROPRIATION. In the schedule under section 20.005 (3) of  
15 the statutes for the appropriation to the department of health services under section  
16 20.435 (7) (b) ✓ of the statutes, as affected by the acts of 2011, the dollar amount is  
17 decreased by \$3,100,000 for the second fiscal year of the fiscal biennium in which this  
18 subsection takes effect for the purposes for which the appropriation is made. ✓

*end Ins 4-10-TD*

Ins 4-10c-TD

1  
2  
3  
4

**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.

(END INSERT 4-10<sup>c</sup><sub>A</sub>-TD)

use A.R.A



## Godwin, Gigi

---

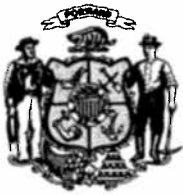
**From:** Godwin, Gigi  
**Sent:** Thursday, May 19, 2011 3:28 PM  
**To:** Lang, Bob  
**Subject:** Attached is a copy of LRB 11-2096

**Attachments:** 11-2096/4



11-20964.pdf (37  
KB)

Gigi Godwin, Program Assistant  
State of Wisconsin - Legislative Reference Bureau  
1 East Main Street, Suite 200  
Madison, WI 53703  
(608) 266-3561  
[Gigi.Godwin@legis.wisconsin.gov](mailto:Gigi.Godwin@legis.wisconsin.gov)



State of Wisconsin  
2011 - 2012 LEGISLATURE



5

LRB-2096/4

RAC&TJD:nwn&wlj:rs

Now

↑ ↑  
Stays

2011 BILL

repeal act

1 AN ACT to amend 20.003 (4) (fx) of the statutes; and to affect 2007 Wisconsin  
2 Act 20, section 9201 (1c) (a), 2011 Wisconsin Act 10, section 9219, 2011  
3 Wisconsin Act 10, section 9230, 2011 Wisconsin Act 10, section 9245 and 2011  
4 Wisconsin Act 10, section 9255; relating to: changes affecting state finances  
5 in the 2010-11 fiscal year and making an appropriation.

**Analysis by the Legislative Reference Bureau**

This bill makes all of the following changes relating to state finances during the 2010-11 fiscal year:

1. The bill repeals all lapse requirements under 2011 Wisconsin Act 10 relating to lapses from state agencies, the office of the governor, the legislature, and the courts that were intended to capture employer savings from fringe benefit changes under that act.

2. 2007 Wisconsin Act 20 required that \$200,000,000 be lapsed or transferred to the general fund during the 2009-11 fiscal biennium. 2011 Wisconsin Act 13 reduced this amount to \$121,000,000. This bill further reduces this amount to \$67,000,000.

3. ~~The bill requires the state to pay the full amount ordered by the court in Wisconsin Medical Society, Inc. v. Morgan, 2010 WI 94, as soon as practical. In that case, the court held that a transfer of \$200,000,000 from the injured patients and families compensation fund to the Medical Assistance trust fund, which was required by 2007 Wisconsin Act 20, was unconstitutional. The bill transfers~~

**BILL**

*\$235,000,000 by June = 30, 2012*

\$15,000,000 in fiscal year 2010-11 and \$169,000,000 in fiscal year 2011-12 from the general fund to the injured patients and families compensation fund. The transferred moneys must be used for the purpose of paying the amount ordered by the court in *Wisconsin Medical Society, Inc. v. Morgan*.

4. The bill increases the amount that the Department of Health Services (DHS) is authorized to spend in fiscal year 2010-11 from the Medical Assistance appropriation account that derives from general purpose revenue to pay for certain services under the Medical Assistance program 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 in June and July 2011 to individuals enrolled in care management organizations and managed care systems. The bill decreases the amount that DHS is authorized to spend in fiscal year 2011-12 from that appropriation account.

5. The bill decreases the amount that DHS is authorized to spend from the appropriation account that is derived from general purpose revenue and that provides moneys for community aids, including certain long-term care services.

6. The bill reduces the general purpose revenue funds general program supplements appropriation to the Joint Committee on Finance by \$4,590,400.

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

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

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

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

**BILL**

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

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

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

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

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

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

7           **SECTION 9155. Nonstatutory provisions; Other.**

8           (1) PAYMENT OF THE AMOUNT ORDERED BY THE COURT IN WISCONSIN MEDICAL  
9           SOCIETY, INC. V. MORGAN. The state shall pay the full amount ordered by the court in  
10           Wisconsin Medical Society, Inc. v. Morgan, 2010 WI 94, as soon as practical.

11           **SECTION 9221. Fiscal changes; Health Services.**

12           (1) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE. In the schedule under  
13           section 20.005 (3) of the statutes for the appropriation to the department of health  
14           services under section 20.435 (4) (b) of the statutes, as affected by the acts of 2011,  
15           the dollar amount is increased by ~~\$150,000,000~~ <sup>\$147,000,000</sup> for the 2010-11 fiscal year for the  
16           purposes for which the appropriation is made and to pay capitation payments to care  
17           management organizations and other entities that provide services to medical  
18           assistance recipients under a managed care system for services provided in June and  
19           July 2011, to individuals enrolled in care management organizations and managed  
20           care systems.

21           (2) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE DECREASE. In the schedule  
22           under section 20.005 (3) of the statutes for the appropriation to the department of  
23           health services under section 20.435 (4) (b) of the statutes, as affected by the acts of  
24           2011, the dollar amount is decreased by ~~\$173,000,000~~ for the 2011-12 fiscal year for  
25           the purposes for which the appropriation is made and for capitation payments to care

\$ 170,000,000

**BILL**

1 management organizations and other entities that provide services to medical  
2 assistance recipients under a managed care system for services provided in June and  
3 July 2011, to individuals enrolled in care management organizations and managed  
4 care systems.

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

**SECTION 9225. Fiscal changes; Insurance.**

11 (1) TRANSFER TO INJURED PATIENTS AND FAMILIES COMPENSATION FUND. There is  
12 transferred from the general fund to the injured patients and families compensation  
13 fund \$15,000,000 in fiscal year 2010-11 and \$169,000,000 in fiscal year 2011-12.

*\$ 235,000,000 by June 30, 2012*

14 Moneys transferred under this subsection shall be used for the purpose of paying the  
15 amount ordered by the court in Wisconsin Medical Society, Inc. v. Morgan, 2010 WI

16 94. *If the amount ordered by the court is less than \$235,000,000, the  
17 Secretary of administration shall transfer the amount ordered by the court.*

**SECTION 9227. Fiscal changes; Joint Committee on Finance.**

*No  
F*

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

**SECTION 9421. Effective dates; Health Services.**

24

**BILL**

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

4 (END)

**Basford, Sarah**

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**From:** Bott, Eric  
**Sent:** Monday, May 23, 2011 10:52 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-2096/5 Topic: Allocation of GPR Surplus in FY2011

Please Jacket LRB 11-2096/5 for the ASSEMBLY.