



2005 ASSEMBLY BILL 455

June 1, 2005 - Introduced by Representatives BERCEAU, FIELDS and BOYLE, cosponsored by Senators RISSER and ROESSLER. Referred to Committee on State Affairs.

1 **AN ACT** *to amend* 20.435 (6) (gb), 20.435 (7) (b) and 139.02 (1); *to repeal and*
2 *recreate* 20.435 (7) (b); and *to create* 139.27 of the statutes; **relating to:**
3 increasing the tax on malt beverages to fund alcohol and drug treatment
4 programs and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill increases the tax rate for the tax on malt beverages from \$2 per barrel to \$3 per barrel. In addition, an amount of the taxes collected on malt beverages equal to 25 cents per barrel will be used for alcohol and drug abuse initiatives and an amount of the taxes equal to 75 cents per barrel will be used for community aids related to alcohol abuse services.

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

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

5 **SECTION 1.** 20.435 (6) (gb) of the statutes is amended to read:

ASSEMBLY BILL 455**SECTION 1**

1 20.435 (6) (gb) *Alcohol and drug abuse initiatives*. All moneys received under
2 s. ss. 961.41 (5) (c) and 139.27 (1), to be expended on programs providing prevention,
3 intervention, and treatment for alcohol and other drug abuse problems.

4 **SECTION 2.** 20.435 (7) (b) of the statutes is amended to read:

5 20.435 (7) (b) *Community aids and Medical Assistance payments*. The
6 amounts in the schedule for human services under s. 46.40, to fund services provided
7 by resource centers under s. 46.283 (5), for services under the family care benefit
8 under s. 46.284 (5), for reimbursement to counties having a population of less than
9 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter
10 care under ss. 48.58 and 938.22, for foster care and treatment foster care under s.
11 49.19 (10), for Medical Assistance payment adjustments under s. 49.45 (52), for
12 Medical Assistance payments under s. 49.45 (53), and for payments under SECTION
13 25 (3). Social services disbursements under s. 46.03 (20) (b) may be made from this
14 appropriation. The amount determined under s. 139.27 (2) shall be credited to this
15 appropriation. Refunds received relating to payments made under s. 46.03 (20) (b)
16 for the provision of services for which moneys are appropriated under this paragraph
17 shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and
18 20.002 (1), the department of health and family services may transfer funds between
19 fiscal years under this paragraph. The department shall deposit into this
20 appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior
21 year audit adjustments including those resulting from audits of services under s.
22 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward
23 under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all
24 funds allocated under s. 46.40 and not spent or encumbered by December 31 of each

ASSEMBLY BILL 455

1 year shall lapse to the general fund on the succeeding January 1 unless carried
2 forward to the next calendar year by the joint committee on finance.

3 **SECTION 3.** 20.435 (7) (b) of the statutes, as affected by 2003 Wisconsin Act 318,
4 section 6, and 2005 Wisconsin Act (this act), is repealed and recreated to read:

5 20.435 (7) (b) *Community aids.* The amounts in the schedule for human
6 services under s. 46.40, to fund services provided by resource centers under s. 46.283
7 (5), for services under the family care benefit under s. 46.284 (5), for reimbursement
8 to counties having a population of less than 500,000 for the cost of court attached
9 intake services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22, and for
10 foster care and treatment foster care under s. 49.19 (10). Social services
11 disbursements under s. 46.03 (20) (b) may be made from this appropriation. The
12 amount determined under s. 139.27 (2) shall be credited to this appropriation.
13 Refunds received relating to payments made under s. 46.03 (20) (b) for the provision
14 of services for which moneys are appropriated under this paragraph shall be
15 returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
16 department of health and family services may transfer funds between fiscal years
17 under this paragraph. The department shall deposit into this appropriation funds
18 it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior year audit adjustments
19 including those resulting from audits of services under s. 46.26, 1993 stats., or s.
20 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds
21 recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s.
22 46.40 and not spent or encumbered by December 31 of each year shall lapse to the
23 general fund on the succeeding January 1 unless carried forward to the next calendar
24 year by the joint committee on finance.

25 **SECTION 4.** 139.02 (1) of the statutes is amended to read:

