

State of Wisconsin



January 2003 Special Session
Senate Bill 1

Date of enactment: **February 27, 2003**
Date of publication*: **February 28, 2003**

2003 WISCONSIN ACT 1

AN ACT relating to: decreasing appropriations; lapsing moneys from certain program revenue appropriation accounts to the general fund; transferring moneys from certain segregated funds to the general fund; increasing funding for out-of-state inmate contracts and for health care for inmates of state prisons; increasing funding for the Medical Assistance and Badger Care programs; increasing segregated funding for the payment of principal and interest costs incurred in financing land acquisition and development under the stewardship program; lapsing or reestimating expenditures from certain general purpose revenue appropriations; exempting the actions of the legislature on this bill from the required general fund structural balance and the required general fund statutory balance; and making appropriations.

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

SECTION 9101. Nonstatutory provisions; administration

(1) **UTILITY PUBLIC BENEFITS TRANSFER.** The moneys transferred under SECTION 9201 (2) of this act shall consist of the moneys otherwise committed or intended for energy conservation and efficiency and renewable resource grants under section 16.957 (2) (b) 2. of the statutes in fiscal year 2002–03 and subsequent fiscal years, as determined by the secretary of administration.

SECTION 9151. Nonstatutory provisions; tobacco control board.

(1) **TOBACCO CONTROL FUND TRANSFER.** There is transferred from the tobacco control fund to the general fund \$2,000,000 in fiscal year 2002–03.

SECTION 9160. Nonstatutory provisions; other.

(1) **REQUIRED GENERAL FUND STRUCTURAL BALANCE.** Section 20.003 (4m) of the statutes does not apply to the action of the legislature in enacting this act.

(2) **REQUIRED GENERAL FUND BALANCE.** Section 20.003 (4) (d) of the statutes and [2001 Wisconsin Act 16](#), section [9101 \(25j\)](#), do not apply to the action of the legislature in enacting this act.

SECTION 9201. Appropriation changes; administration.

(1) **APPROPRIATION LAPSES FROM PROGRAM SUPPLEMENTS.** The department of administration shall take actions during the 2001–03 fiscal biennium to ensure that from general purpose revenue appropriations under section 20.865 of the statutes an amount equal to \$1,115,800 is lapsed from sum certain appropriations.

(2) **UTILITY PUBLIC BENEFITS FUND TRANSFER.** There is transferred from the utility public benefits fund to the general fund \$8,365,600 in fiscal year 2002–03.

SECTION 9203. Appropriation changes; aging and long-term care board.

(1) **GENERAL PROGRAM OPERATIONS APPROPRIATION DECREASE.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the board on aging and long-term care under section 20.432 (1) (a) of the statutes, as affected by the acts of 2001 and 2003, the dollar

* Section 991.11, WISCONSIN STATUTES 2001–02 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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amount is decreased by \$46,900 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.

SECTION 9209. Appropriation changes; commerce.

(1) WISCONSIN DEVELOPMENT FUND APPROPRIATION LAPSE AND DECREASE. During the 2002–03 fiscal year, the department of commerce shall take actions to ensure that an amount determined under this subsection is lapsed from the appropriation under section 20.143 (1) (ie) of the statutes. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of commerce under section 20.143 (1) (c) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased for fiscal year 2002–03 by an amount determined under this subsection. The secretary of commerce shall determine the amount of the lapse and the decrease required under this subsection. The total of the lapse and the decrease shall be \$7,000,000.

SECTION 9210. Appropriation changes; corrections.

(1) INMATE HEALTH CARE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is increased by \$7,269,800 for fiscal year 2002–03 to increase funding for inmate health care.

(2) CONTRACTS AND AGREEMENTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (ab) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is increased by \$9,247,800 for fiscal year 2002–03 to increase funding for the purposes for which the appropriation is made.

SECTION 9212. Appropriation changes; district attorneys.

(1) SALARIES AND FRINGE BENEFITS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$363,200 for fiscal year 2002–03 to decrease funding for the purposes for which the appropriation is made.

SECTION 9214. Appropriation changes; elections board.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the elections board under section 20.510 (1) (a) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$57,400 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.

SECTION 9216. Appropriation changes; employee trust funds.

(1) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM. In the schedule under section 20.005 (3) of the

statutes for the appropriation to the department of employee trust funds under section 20.515 (2) (a) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$1,700 for the 2001–03 fiscal biennium to reduce spending for the purpose for which the appropriation is made.

SECTION 9217. Appropriation changes; employment relations commission.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the employment relations commission under section 20.425 (1) (a) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$148,800 for fiscal year 2002–03 to reduce spending for the purpose for which the appropriation is made.

SECTION 9218. Appropriation changes; employment relations department.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of employment relations under section 20.512 (1) (a) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$336,400 for fiscal year 2002–03 to reduce spending for the purpose for which the appropriation is made.

SECTION 9219. Appropriation changes; ethics board.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the ethics board under section 20.521 (1) (a) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$13,900 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.

SECTION 9220. Appropriation changes; financial institutions.

(1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REGULATION, AND OTHER FUNCTIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of financial institutions under section 20.144 (1) (g) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$667,300 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.

(2) OFFICE OF CREDIT UNIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of financial institutions under section 20.144 (2) (g) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$91,800 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.

SECTION 9222. Appropriation changes; governor.

(1) APPROPRIATION LAPSES AND REESTIMATES. The governor shall take actions during the 2001–03 fiscal biennium to ensure that, from the general purpose revenue appropriations for state operations to the office of the governor under section 20.525 of the statutes, an amount

equal to \$210,700 is lapsed from sum certain appropriation accounts or is subtracted from the expenditure estimates for any other types of appropriations, or both.

SECTION 9224. Appropriation changes; health and family services.

(1) MEDICAL ASSISTANCE TRUST FUND INCREASE. 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) (w) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is increased by \$64,402,900 for fiscal year 2002–03 to increase funding for the purposes for which the appropriation is made.

(2) MEDICAL ASSISTANCE PROGRAM FUNDING DECREASE. 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 2001 and 2003, the dollar amount is decreased by \$9,587,000 for fiscal year 2002–03 to decrease funding for the purposes for which the appropriation is made.

(3) BADGER CARE PROGRAM FUNDING INCREASE. 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) (bc) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is increased by \$9,587,000 for fiscal year 2002–03 to increase funding for the purpose for which the appropriation is made.

SECTION 9233. Appropriation changes; legislature.

(1) APPROPRIATION LAPSES AND REESTIMATES. The cochairpersons of the joint committee on legislative organization shall take actions during the 2001–03 fiscal biennium to ensure that from general purpose revenue appropriations for state operations to the legislature under section 20.765 of the statutes an amount equal to \$3,551,800 is lapsed from sum certain appropriation accounts or is subtracted from the expenditure estimates for any other types of appropriations, or both.

SECTION 9234. Appropriation changes; lieutenant governor.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the lieutenant governor under section 20.540 (1) (a) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$31,600 for fiscal year 2002–03 to decrease funding for the purposes for which the appropriation is made.

SECTION 9238. Appropriation changes; natural resources.

(1) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to the general fund \$6,100,000 in fiscal year 2002–03.

(2) STATE PARK, FOREST, AND RIVERWAY ROADS. Notwithstanding section 20.001 (3) (c) of the statutes, on the

effective date of this subsection, there is lapsed to the general fund \$1,900,000 from the appropriation account of the department of natural resources under section 20.370 (7) (mc) of the statutes, as affected by the acts of 2001 and 2003.

(3) STEWARDSHIP DEBT SERVICE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (7) (au) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is increased by \$4,400,000 for fiscal year 2002–03 to increase funding for the purpose for which the appropriation is made.

SECTION 9239. Appropriation changes; personnel commission.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the personnel commission under section 20.547 (1) (a) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$48,600 for fiscal year 2002–03 to reduce spending for the purpose for which the appropriation is made.

SECTION 9243. Appropriation changes; public service commission.

(1) UNIVERSAL SERVICE FUND TRANSFER. There is transferred from the universal service fund to the general fund \$3,239,000 in fiscal year 2002–03.

SECTION 9245. Appropriation changes; revenue.

(1) GENERAL PROGRAM OPERATIONS; INTEGRATED TAX SYSTEM TECHNOLOGY. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (3) (b) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$810,600 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.

(2) GENERAL PROGRAM OPERATIONS; ADDITIONAL INTEGRATED TAX SYSTEM TECHNOLOGY DECREASE.

(a) *Additional appropriation reduction.* Except as provided in paragraph (b), and in addition to the decrease specified in subsection (1), in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (3) (b) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$810,600 for the fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.

(b) *Submission of alternative plan to secretary of administration.* No later than 14 days after the effective date of this paragraph, the department of revenue may submit an alternative plan to the secretary of administration concerning the department's preference for allocating the reduction specified in paragraph (a) among sum certain appropriations made to the department of revenue from general purpose revenue. If the secretary does not approve the plan, the department of revenue shall make the reduction as provided in paragraph (a). If the secre-

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tary approves the plan, he or she shall submit the plan to the joint committee on finance no later than 21 days after the effective date of this paragraph. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan to be held within 14 working days after the date of the secretary's submittal, the department of revenue shall make the reductions specified in the plan. If the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan to be held within 14 working days after the date of the secretary's submittal, the department of revenue may not implement the plan until it is approved by the committee, as submitted or as modified.

SECTION 9248. Appropriation changes; supreme court.

(1) APPROPRIATION LAPSES AND REESTIMATES. The chief justice of the supreme court, acting as the administrative head of the judicial system, shall take actions during the 2001–03 fiscal biennium to ensure that from general purpose revenue appropriations for state operations to the circuit courts under section 20.625 of the statutes, to the court of appeals under section 20.660 of the statutes, and to the supreme court under section 20.680 of the statutes an amount equal to \$1,625,700 is lapsed from sum certain appropriation accounts or is subtracted from

SECTION 9260. Appropriation changes; other.

(1) STATE AGENCY APPROPRIATIONS REDUCTIONS.

(a) *Appropriations reductions.* Except as provided in paragraphs (b) and (c), the largest sum certain appropriation for state operations made to the following state agencies from general purpose revenue in the 2002–03 fiscal year is reduced by the amounts indicated:

State Agency	Amount of Reduction
	2002–03 Fiscal Year
Administration, department of	\$ 549,000
Adolescent pregnancy prevention and pregnancy services board	1,100
Agriculture, trade and consumer protection, department of	951,700
Arts board	16,500
Commerce, department of	347,200
Corrections, department of	2,300,000
Educational communications board	257,100
Health and family services, department of	5,010,600
Higher educational aids board	37,600
Historical society	473,200
Judicial commission	10,700
Justice, department of	1,682,600
Military affairs, department of	318,400

the expenditure estimates for any other types of appropriations, or both.

SECTION 9253. Appropriation changes; transportation.

(1) LAPSE TO THE TRANSPORTATION FUND. In the 2002–03 fiscal year, the secretary of transportation shall lapse to the transportation fund, from segregated revenue appropriations to the department of transportation for state operations from the transportation fund, an amount that, in combination with lapses required under 2001 Wisconsin Act 16 and 2001 Wisconsin Act 109, produces an unappropriated balance in the transportation fund on June 30, 2003, of at least \$22,211,700. In lapsing funds under this subsection, the secretary of transportation shall avoid adverse impacts on activities related to highway planning and programming, design, and construction.

SECTION 9254. Appropriation changes; treasurer.

(1) COLLEGE TUITION AND EXPENSES PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the state treasurer under section 20.585 (2) (a) of the statutes, as affected by the acts of 2001 and 2003, the dollar amount is decreased by \$2,800 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.

Natural resources, department of	2,128,400
Public instruction, department of	559,600
Technology for educational achievement in Wisconsin board	32,100
Technical college system board	164,900
Tourism, department of	1,330,500
University of Wisconsin System, Board of Regents of the	6,890,000
Veterans affairs, department of	35,900
Workforce development, department of	400,100

(b) *Submission of alternative plan to secretary of administration.* No later than 14 days after the effective date of this paragraph, any state agency specified in paragraph (a), may submit an alternative plan to the secretary of administration concerning the agency's preference for allocating reductions among sum certain appropriations made to the agency from general purpose revenue. If the secretary does not approve the plan, the agency shall make the reductions as provided in paragraph (a). If the secretary approves the plan, he or she shall submit the plan to the joint committee on finance no later than 21 days after the effective date of this paragraph. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan to be held within 14 working days after the date of the secretary's submittal, the agency shall make the reductions specified in the plan. If the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan to be held within 14 working days after the date of the secretary's submittal, the agency may not implement the plan until it is approved by the committee, as submitted or as modified.

(c) *Directed reduction for board of regents of the University of Wisconsin System.* Except as provided in para-

graph (b), the board of regents of the University of Wisconsin System shall make the reduction under paragraph (a) from the institutional support budget for the University of Wisconsin System, except that no later than 14 days after the effective date of this paragraph the board may submit an alternative plan to the secretary of administration concerning the board's preference for allocating reductions among spending purposes within the appropriation under section 20.285 (1) (a) of the statutes, as affected by this act. If the secretary does not approve the plan, the board shall make the reductions from the institutional support budget. If the secretary approves the plan, he or she shall submit the plan to the joint committee on finance no later than 21 days after the effective date of this paragraph. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan to be held within 14 working days after the date of the secretary's submittal, the board shall make the reductions specified in the plan. If the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan to be held within 14 working days after the date of the secretary's submittal, the board may not implement the plan until it is approved by the committee, as submitted or as modified.

(2) ADDITIONAL STATE AGENCY APPROPRIATION REDUCTIONS.

(a) *Appropriations reductions.* Except as provided in paragraphs (b) and (c), and in addition to the reductions required under subsection (1), the largest sum certain appropriation for state operations made to the following state agencies from general purpose revenue in the 2002–03 fiscal year is reduced by the amounts indicated:

State Agency	Amount of Reduction
	2002–03 Fiscal Year
Administration, department of	\$ 109,800
Adolescent pregnancy prevention and pregnancy services board	200
Agriculture, trade and consumer protection, department of	190,300

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Arts board	3,300
Commerce, department of	69,400
Corrections, department of	463,500
Educational communications board	51,400
Health and family services, department of	1,002,100
Higher educational aids board	7,500
Historical society	94,600
Judicial commission	2,100
Justice, department of	336,500
Military affairs, department of	63,700
Natural resources, department of	425,700
Public defender board	730,900
Public instruction, department of	111,900
Technology for educational achievement in Wisconsin board	6,400
Technical college system board	33,000
University of Wisconsin System, Board of Regents of the	1,378,000
Veterans affairs, department of	7,200
Workforce development, department of	80,000

(b) *Submission of alternative plan to secretary of administration.* No later than 14 days after the effective date of this paragraph, any state agency specified in paragraph (a), may submit an alternative plan to the secretary of administration concerning the agency's preference for allocating reductions among sum certain appropriations for state operations made to the agency from general purpose revenue. If the secretary does not approve the plan, the agency shall make the reductions as provided in paragraph (a). If the secretary approves the plan, he or she shall submit the plan to the joint committee on finance no later than 21 days after the effective date of this paragraph. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan to be held within 14 working days after the date of the secretary's submittal, the agency shall make the reductions specified in the plan. If the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan to be held within 14 working days after the date of the secretary's submittal, the agency may not implement the plan until it is approved by the committee, as submitted or as modified.

(c) *Directed reduction for board of regents of the University of Wisconsin System.* Except as provided in para-

graph (b), the board of regents of the University of Wisconsin System shall make the reduction under paragraph (a) from the institutional support budget for the University of Wisconsin System, except that no later than 14 days after the effective date of this paragraph the board may submit an alternative plan to the secretary of administration concerning the board's preference for allocating reductions among spending purposes within the appropriation under section 20.285 (1) (a) of the statutes, as affected by this act. If the secretary does not approve the plan, the board shall make the reductions from the institutional support budget. If the secretary approves the plan, he or she shall submit the plan to the joint committee on finance no later than 21 days after the effective date of this paragraph. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan to be held within 14 working days after the date of the secretary's submittal, the board shall make the reductions specified in the plan. If the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan to be held within 14 working days after the date of the secretary's submittal, the board may not implement the plan until it is approved by the committee, as submitted or as modified.

(3) STATE AGENCY APPROPRIATION LAPSES TO THE GENERAL FUND.

(a) *Appropriation lapses to the general fund.* Subject to paragraph (b), in the 2002–03 fiscal year, from the following appropriation accounts, the secretary of administration shall lapse to the general fund the amounts indicated:

Agency	2002–03 Fiscal Year
20.505 <i>Administration, department of</i>	
(1) (kf)	1,041,100
(1) (kj)	628,700
(5) (ka)	4,820,500
20.115 <i>Agriculture, trade and consumer protection, department of</i>	
(1) (gb)	195,200
20.143 <i>Commerce, department of</i>	
(1) (L)	3,800,000
(3) (j)	1,520,000
20.530 <i>Electronic government, department of</i>	
(1) (g)	2,735,900
(1) (ke)	3,141,100
20.144 <i>Financial institutions, department of</i>	
(1) (g)	667,300
(2) (g)	91,800
20.435 <i>Health and family services, department of</i>	
(3) (jm)	267,000
(4) (gm)	83,300
(4) (hg)	125,000
20.245 <i>Historical society</i>	
(1) (g)	174,200
20.145 <i>Insurance, office of the commissioner of</i>	
(1) (g)	5,653,500
20.455 <i>Justice, department of</i>	
(2) (ja)	132,300
20.255 <i>Public instruction, department of</i>	
(1) (hg)	135,500
20.165 <i>Regulation and licensing, department of</i>	
(1) (g)	497,800

(b) *Prohibited appropriation lapses and transfers.* The secretary of administration may not lapse or transfer moneys to the general fund from any appropriation account specified in paragraph (a) if the lapse or transfer

would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

(4) STATE AGENCY APPROPRIATION DECREASES AND TRANSFERS TO THE GENERAL FUND.

(a) *Appropriation reductions and transfers to the general fund.* Subject to paragraph (b), appropriations for the 2002–03 fiscal year are decreased by the amounts indicated in each of the following appropriations and the secretary of administration shall transfer from the fund from which each appropriation is made to the general fund an amount equal to the amount of the decrease:

Agency	2002–03 Fiscal Year
20.143 <i>Commerce, department of</i>	
(1) (qa)	100,000
(1) (qm)	6,250,000
(3) (r)	251,300
(3) (w)	139,300
20.370 <i>Natural resources, department of</i>	
(2) (dv)	1,000,000
(2) (mq)	218,700
(3) (mq)	56,900
(4) (mq)	125,600
(4) (mr)	22,200
(6) (er)	125,000
(6) (eu)	1,000,000
(8) (iw)	11,500
(8) (mq)	23,300
(8) (mv)	171,000
(9) (mv)	30,300

(b) *Prohibited appropriation transfers.* The secretary of administration may not transfer moneys from a segregated fund to the general fund if the transfer would violate a condition imposed by the federal government on the expenditure of the moneys or if the transfer would violate the federal or state constitution.

SECTION 9400. Effective dates; general. Except as otherwise provided in SECTIONS 9401 to 9460 of this act, this act takes effect on the day after publication.