



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3751/1
KRP&MED:amn

2015 ASSEMBLY BILL 685

January 12, 2016 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Rules.

1 **AN ACT** *to renumber and amend* 20.427 (1) (n); *to amend* 20.427 (1) (m), 20.445
2 (1) (n) and 20.445 (1) (o); and *to create* 20.427 (1) (km) of the statutes; **relating**
3 **to:** transferring federal moneys received by the Department of Workforce
4 Development to the Labor and Industry Review Commission and making an
5 appropriation (suggested as remedial legislation by the Legislative Fiscal
6 Bureau).

Analysis by the Legislative Reference Bureau

Under prior law, the Labor and Industry Review Commission (LIRC) was attached to the Department of Workforce Development (DWD) and moneys were appropriated to DWD for the activities of LIRC. 2015 Wisconsin Act 55 (the 2015–17 biennial budget act) attached LIRC to the Department of Administration and appropriated moneys directly to LIRC.

This bill provides for the transfer of federal moneys received by DWD to LIRC for unemployment administration and equal rights functions performed by LIRC and of other moneys transferred to LIRC for other purposes.

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For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Legislative Fiscal Bureau and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 20.427 (1) (km) of the statutes is created to read:

2 20.427 (1) (km) *Equal rights; other moneys.* All moneys transferred from the
3 appropriation account under s. 20.445 (1) (o) for the performance of the functions of
4 the labor and industry review commission related to the review of decisions by the
5 division of equal rights in the department of workforce development and all other
6 moneys transferred from state agencies to the appropriation account under this
7 paragraph for the purposes for which the transfer is made.

NOTE: Creates an appropriation account for the Labor and Industry Review Commission (LIRC) that provides for transfer of federal moneys for the performance of the functions of LIRC related to the review of decisions by the Division of Equal Rights (ERD) in the Department of Workforce Development (DWD) from the DWD appropriation account for federal moneys related to the activities of the ERD. The created appropriation account also provides for transfer of all other moneys transferred from state agencies to the account.

8 **SECTION 2.** 20.427 (1) (m) of the statutes, as affected by 2015 Wisconsin Act 55,
9 is amended to read:

10 20.427 (1) (m) *Federal moneys.* All federal moneys not appropriated under par.
11 ~~(n) that are received from the federal government~~ as authorized by the governor
12 under s. 16.54 for the functions of the labor and industry review commission.

NOTE: Modifies the LIRC appropriation account for federal moneys to provide for the appropriation for its functions of all federal moneys directly received by LIRC.

13 **SECTION 3.** 20.427 (1) (n) of the statutes, as affected by 2015 Wisconsin Act 55,
14 is renumbered 20.427 (1) (k) and amended to read:

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1 20.427 (1) (k) *Unemployment administration; federal moneys.* All federal
2 moneys received as authorized by the governor under s. 16.54 transferred from the
3 appropriation account under s. 20.445 (1) (n) for the performance of the functions of
4 the labor and industry review commission under ch. 108.

NOTE: Modifies the LIRC appropriation account for unemployment administration to provide for the transfer of moneys from the DWD appropriation account for federal moneys received for employment assistance and unemployment insurance administration to the LIRC appropriation account for unemployment administration.

5 **SECTION 4.** 20.445 (1) (n) of the statutes is amended to read:

6 20.445 (1) (n) *Employment assistance and unemployment insurance*
7 *administration; federal moneys.* All federal moneys received, as authorized by the
8 governor under s. 16.54, for the administration of employment assistance and
9 unemployment insurance programs of the department, for the performance of the
10 department's other functions under subch. I of ch. 106 and ch. 108, and to pay the
11 compensation and expenses of appeal tribunals and of employment councils
12 appointed under s. 108.14, to be used for such purposes, except as provided in s.
13 108.161 (3e), and, from the moneys received by this state under section 903 (d) of the
14 federal Social Security Act, as amended, to transfer to the appropriation account
15 under par. (nb) an amount determined by the treasurer of the unemployment reserve
16 fund not exceeding the lesser of the amount specified in s. 108.161 (4) (d) or the
17 amounts in the schedule under par. (nb), to transfer to the appropriation account
18 under par. (nd) an amount determined by the treasurer of the unemployment reserve
19 fund not exceeding the lesser of the amount specified in s. 108.161 (4) (d) or the
20 amounts in the schedule under par. (nd), and to transfer to the appropriation account
21 under par. (ne) an amount not exceeding the lesser of the amount specified in s.
22 108.161 (4) (d) or the sum of the amounts in the schedule under par. (ne) and the
23 amount determined by the treasurer of the unemployment reserve fund that is

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1 required to pay for the cost of banking services incurred by the unemployment
2 reserve fund, and to transfer to the appropriation account under s. 20.427 (1) (k) an
3 amount determined by the treasurer of the unemployment reserve fund.

NOTE: Modifies the DWD appropriation account for federal moneys received for employment assistance and unemployment insurance administration to transfer from that appropriation account an amount determined by the treasurer of the unemployment reserve fund to the LIRC appropriation account for unemployment administration.

4 **SECTION 5.** 20.445 (1) (o) of the statutes is amended to read:

5 20.445 (1) (o) *Equal rights; federal moneys.* All federal moneys received for the
6 activities of the division of equal rights in the department, to be used for those
7 purposes, and to transfer to the appropriation account under s. 20.427 (1) (km).

NOTE: Modifies the DWD appropriation account for federal moneys received for the activities of the ERD to transfer moneys from that appropriation account to the LIRC appropriation account for equal rights created under SECTION 1 of the bill.

8 (END)