

2009 DRAFTING REQUEST

Bill

Received: 09/22/2008

Received By: gmalaise

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Weidner

This file may be shown to any legislator: NO

Drafter: gmalaise

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Addl. Drafters:

Subject: Employ Priv - worker's comp

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Weidner, BB0040 -

Topic:

Transfer of moneys to uninsured employers program administration appropriation

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>
/?	gmalaise 09/23/2008	jdye 09/29/2008		_____			
/1			phenry 09/29/2008	_____	cduerst 09/29/2008		

FE Sent For:

<END>

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<END>

2007-09 Budget Bill Statutory Language Drafting Request

GMM or
JTK

- Topic: Changes for Unemployment Administration Appropriation under s. 20.445(1)(rp)
- Tracking Code: BB0040
- SBO team: General Government and Economic Development
- SBO analyst: Jenna Weidner
 - Phone: x 6-7329
 - Email: jenna.weidner@wisconsin.gov
- Agency acronym: DWD
- Agency number: 445
- Priority (Low, Medium, High): Medium

Intent: The Department requests statutory language changes to expand the definition and authority under s. 20.445(1)(rp), numeric 177, in order to explicitly include unemployment services.

Specifically, the agency proposed amending s. 20.445 (1)(rp) as follows:

Worker's compensation operations fund; uninsured employers program; administration. From the moneys received under ss. 102.75 worker's compensation operations fund, the amounts in the schedule for the administration of ss. 102.28 (4) and 102.80 to 102.89

Malaise, Gordon

From: Weidner, Jenna M - DOA [Jenna.Weidner@wisconsin.gov]
Sent: Monday, September 22, 2008 12:41 PM
To: Malaise, Gordon
Subject: draft re: appn. 20.445(1)(rp)

Hello, Gordon. Here's what DWD had to say:

The department requests a modification in the statutory language for Appropriation s. 20.445(1)(rp): Worker's compensation operations fund; uninsured employers program; administration. Based on a recent change in state statutes – enacted under Worker's Compensation Bill 2005 Wis. Act 172 – the state budget and financial reporting system (WiSMART) does not allow for the transfer of revenue from Appropriation s.20.445(1)(ra), numeric 169 "Worker's Compensation Operations Fund; Administration" to Appropriation s.20.445(1)(rp), numeric 177 "Worker's Compensation Operations Fund; Uninsured Employers Program; Administration". As a result, revenues and the associated balances in these appropriations are not accurate, with appropriation 169 over-inflated by approximately \$2,000,000 and no revenue deposited/transferred into appropriation 177, only expenditures.

This issue developed in 2006 when appropriations 129 and 155 were re-numbered to appropriations 169 and 177 respectively under 2005 Wis. Act 172. Under the Act the appropriations were simply re-numbered from PR (Program Revenue) to SEG (Segregated), with no intention to change the "funding stream" between appropriations 169 and 177.

However, when the Department of Workforce Development (DWD) submitted a request in SFY08 to change the WiSMART Appropriation Type of appropriation 177 to allow for the transfer of revenue to the appropriation, the Department of Administration opined – based on interpretation of the change enacted under 2005 Wis. Act 172 – that the appropriation type could not be changed and the transfer could not be made. Further, DWD was advised to request a statutory change in the biennial budget to authorize the transfer of revenues from appropriation 169 to support the expenditures in appropriation 177.

Without the prescribed change, revenue discrepancies in appropriation 169 will continue to increase until the coding of appropriation 177 in WiSMART is changed. Revenue reports will continue to be inaccurate, including the year-end carryover cash balance in appropriation 169.

When the required statutory language change is approved, the department's request to change the Appropriation Type of appropriation 177 will be approved and the revenue issues of appropriations 169 and 177 will be resolved.

Let me know if that helps, or if I should get additional clarification.

Thanks so much,
Jenna

Jenna Weidner
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(608)266-7329
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09/22/2008



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0356/3

GMM:.....

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jld

DOA:.....Weidner, BB0040 - Transfer of moneys to uninsured employers program administration appropriation✓

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

In 9/23

do not gen

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AN ACT ...; relating to: the budget.✓

Analysis by the Legislative Reference Bureau

EMPLOYMENT✓

Under current law, a sum certain is appropriated from the worker's compensation operations fund✓ for the administration of the worker's compensation program by DWD✓ and a sum certain is appropriated from that fund for the administration of the uninsured employers program by DWD✓. This bill requires the amount appropriated for the administration of the uninsured employers program✓ to be transferred from the appropriation account for the administration of the worker's compensation program and credited to the uninsured employers program appropriation account.✓

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

2

SECTION 1. 20.445 (1) (ra) ^x of the statutes is amended to read:

3

20.445 (1) (ra) *Worker's compensation operations fund; administration.* From

4

the worker's compensation operations fund, the amounts in the schedule for the

1 administration of the worker's compensation program by the department and for
 2 transfer to the appropriation account under par. (rp). All moneys received under ss.
 3 102.28 (2) (b) and 102.75 for the department's activities and not appropriated under
 4 par. (rp) shall be credited to this appropriation. From this appropriation, an amount
 5 not to exceed \$5,000 may be expended each fiscal year for payment of expenses for
 6 travel and research by the council on worker's compensation and the amount in the
 7 schedule under par. (rp) shall be transferred to the appropriation account under par.
 8 (rp).

History: 1971 c. 125 ss. 156, 522 (1); 1971 c. 211, 215; 1971 c. 228 s. 44; 1971 c. 259; 1973 c. 90, 180, 243, 333; 1975 c. 39, 147, 224, 274, 344; 1975 c. 404 ss. 3, 10 (1); 1975 c. 405 ss. 3, 11 (1); 1977 c. 29, 48, 203, 418; 1979 c. 34 ss. 512 to 522, 2102 (25) (a); 1979 c. 189, 221, 309; 1979 c. 329 s. 25 (1); 1979 c. 350 ss. 3, 27 (6); 1979 c. 353, 355; 1981 c. 20, 36, 92, 93, 317, 325, 364; 1983 a. 8; 1983 a. 27 ss. 411 to 425; 1983 a. 98 ss. 1, 31; 1983 a. 192, 384, 388, 410; 1985 a. 17, 29, 153, 313, 332; 1987 a. 27; 1987 a. 38 ss. 2 to 4, 136; 1987 a. 399, 403; 1989 a. 31, 44, 64, 77, 254, 284, 359; 1991 a. 39 ss. 372c, 545r, 545t, 545v, 547, 548, 548g, 548m, 549, 549b, 549g, 549p; 1991 a. 85, 89, 269, 315; 1993 a. 16, 126, 243, 437, 491; 1995 a. 27 ss. 772mm, 772mn, 776p to 778b, 778L, 778n, 778q, 778v, 778z to 780m, 781m to 782p, 782u, 841, 842, 849, 850, 854, 855, 858c, 873 to 876, 878, 880, 890 to 896, 962 to 1014c, 9126 (19), 9130 (4); 1995 a. 113 s. 2t; 1995 a. 117, 201, 216, 225, 289; 1995 a. 404 ss. 4, 6 to 8, 10 to 17; 1997 a. 3; 1997 a. 27 ss. 610 to 642m, 722; 1997 a. 35, 38, 39, 105, 112, 191, 235, 236, 237, 252; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109; 2003 a. 33, 197; 2005 a. 25, 86, 172; 2005 a. 443 s. 265; 2007 a. 20, 59.

9 **SECTION 2.** 20.445 (1) (rp) of the statutes is amended to read:

10 20.445 (1) (rp) *Worker's compensation operations fund; uninsured employers*
 11 *program; administration.* From the worker's compensation operations fund, the
 12 amounts in the schedule for the administration of ss. 102.28 (4) and 102.80 to 102.89.
 13 All moneys transferred from the appropriation account under par. (ra) to this
 14 appropriation account shall be credited to this appropriation account.

History: 1971 c. 125 ss. 156, 522 (1); 1971 c. 211, 215; 1971 c. 228 s. 44; 1971 c. 259; 1973 c. 90, 180, 243, 333; 1975 c. 39, 147, 224, 274, 344; 1975 c. 404 ss. 3, 10 (1); 1975 c. 405 ss. 3, 11 (1); 1977 c. 29, 48, 203, 418; 1979 c. 34 ss. 512 to 522, 2102 (25) (a); 1979 c. 189, 221, 309; 1979 c. 329 s. 25 (1); 1979 c. 350 ss. 3, 27 (6); 1979 c. 353, 355; 1981 c. 20, 36, 92, 93, 317, 325, 364; 1983 a. 8; 1983 a. 27 ss. 411 to 425; 1983 a. 98 ss. 1, 31; 1983 a. 192, 384, 388, 410; 1985 a. 17, 29, 153, 313, 332; 1987 a. 27; 1987 a. 38 ss. 2 to 4, 136; 1987 a. 399, 403; 1989 a. 31, 44, 64, 77, 254, 284, 359; 1991 a. 39 ss. 372c, 545r, 545t, 545v, 547, 548, 548g, 548m, 549, 549b, 549g, 549p; 1991 a. 85, 89, 269, 315; 1993 a. 16, 126, 243, 437, 491; 1995 a. 27 ss. 772mm, 772mn, 776p to 778b, 778L, 778n, 778q, 778v, 778z to 780m, 781m to 782p, 782u, 841, 842, 849, 850, 854, 855, 858c, 873 to 876, 878, 880, 890 to 896, 962 to 1014c, 9126 (19), 9130 (4); 1995 a. 113 s. 2t; 1995 a. 117, 201, 216, 225, 289; 1995 a. 404 ss. 4, 6 to 8, 10 to 17; 1997 a. 3; 1997 a. 27 ss. 610 to 642m, 722; 1997 a. 35, 38, 39, 105, 112, 191, 235, 236, 237, 252; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109; 2003 a. 33, 197; 2005 a. 25, 86, 172; 2005 a. 443 s. 265; 2007 a. 20, 59.

15

(END)



DOA:.....Weidner, BB0040 - Transfer of moneys to uninsured employers
program administration appropriation

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

EMPLOYMENT

Under current law, a sum certain is appropriated from the worker's compensation operations fund for the administration of the worker's compensation program by DWD and a sum certain is appropriated from that fund for the administration of the uninsured employers program by DWD. This bill requires the amount appropriated for the administration of the uninsured employers program to be transferred from the appropriation account for the administration of the worker's compensation program and credited to the uninsured employers program appropriation account.

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

2 **SECTION 1.** 20.445 (1) (ra) of the statutes is amended to read:

3 20.445 (1) (ra) *Worker's compensation operations fund; administration.* From
4 the worker's compensation operations fund, the amounts in the schedule for the

1 administration of the worker's compensation program by the department and for
2 transfer to the appropriation account under par. (rp). All moneys received under ss.
3 102.28 (2) (b) and 102.75 for the department's activities ~~and not appropriated under~~
4 ~~par. (rp)~~ shall be credited to this appropriation. From this appropriation, an amount
5 not to exceed \$5,000 may be expended each fiscal year for payment of expenses for
6 travel and research by the council on worker's compensation and the amount in the
7 schedule under par. (rp) shall be transferred to the appropriation account under par.
8 (rp).

9 SECTION 2. 20.445 (1) (rp) of the statutes is amended to read:

10 20.445 (1) (rp) *Worker's compensation operations fund; uninsured employers*
11 *program; administration*. From the worker's compensation operations fund, the
12 amounts in the schedule for the administration of ss. 102.28 (4) and 102.80 to 102.89.
13 All moneys transferred from the appropriation account under par. (ra) to this
14 appropriation account shall be credited to this appropriation account.

15 (END)