

**2003 DRAFTING REQUEST**

**Bill**

Received: **12/23/2002**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-8219**

By/Representing: **Fath**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters: **jkuesel**

Subject: **Employ Priv - job training  
Employ Priv - worker's comp  
Unemployment Compensation**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

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**Pre Topic:**

DOA:.....Fath/Hummert - BB0301,

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**Topic:**

Federal workforce investment funds separation; Employment assistance and UI funding revisions

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**Instructions:**

See Attached

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**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 12/27/2002 jkuesel 12/29/2002	kgilfoy 01/02/2003		_____			
/1			pgreensl	_____	amentkow		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			01/03/2003	_____	01/03/2003		
/2	jkuesel 02/05/2003	kfollett 02/05/2003	chaskett 02/05/2003	_____	lemery 02/05/2003		

FE Sent For:

<END>

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/1		12 2/5 kjf	pgreensl	_____	amentkow		

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1?	gmalaise 12/27/2002 jkuesel	11-1/03 KMG	1/03/03 PS	1/03/03 PS/cph			

FE Sent For:

<END>

**Date:** December 23, 2002  
**To:** Steve Miller, LRB  
**From:** Erin Fath, DOA  
**Subject:** Statutory Language Request

DWD request 6203: Budget DWS Federal Funds Separately from non-DWS Federal Funds

Attached is a portion of a request I sent previously ("Appropriation Restructuring"). Pam Kahler has notified me that the first part the request should be drafted by a different attorney, as it affects a program area for which she is not responsible. I have attached that part here, and am submitting as a separate request.

If you have any questions, please call me at 6-8219, or send me an email at: [erin.fath@doa.state.wi.us](mailto:erin.fath@doa.state.wi.us).

Thank you.

**STATUTORY LANGUAGE REQUEST**

**2003-05 BIENNIAL BUDGET**

**TOPIC:** ~~DWS Appropriation Restructuring~~

*DWS  
Budget Fed Funds Separately  
from non-DWS Fed. Funds*

**TEAM:** EDUC

**ANALYST:** Fath

**AGENCY:** DWD

**NUMBER:** 445

*BB0301*

**Separately budget for DWS DOL funds and federal funds for the Worker's Comp., Equal Rights, and UI divisions**

**Description of Changes:**

Clarify the appropriations within s.20.445 (1) to be used for federally funded activities conducted by the divisions of Worker's Compensation (WC), Equal Rights (ER), and Unemployment Insurance (UI), and ~~the~~ consolidate five appropriations used by DWS for various employment and re-employment-related programs funded by the U.S. Department of Labor (DOL), by making the following changes:

1. Change the title of the appropriation at s.20.445 (1) (m) from "Federal funds," to "Workforce Investment and Assistance." Leave the definition of the appropriation unchanged.

2. Create a new appropriation under s.20.445 (1) titled, "Equal Rights; federal moneys," and defined as, "All moneys received from the federal government for activities performed by the division of Equal Rights, for such purposes." [DWD's B6 budget file maintenance suggests using s.20.445 (1) (o)]

3. Create a new appropriation under s.20.445 (1) titled, "Worker's Compensation; federal moneys," and defined as, "All moneys received from the federal government for activities performed by the division of Worker's Compensation, for such purposes." [s.20.445 (1) (p) proposed on B6]

4. Add to the definition of the appropriation for "Unemployment administration; federal moneys" at s.20.445 (1) (n) the following phrase: "and, except as otherwise appropriated in this subsection, all moneys received from the federal government for activities performed by the division of Unemployment Insurance"

- This change is requested to accommodate the transfer from the appropriation under s.20.445 (1) (m) of small federal reimbursements to UI for data, and to ensure that UI has a general appropriation it can use for any federal funding not specifically described by another appropriation.

5. Repeal the following appropriations. Activities previously budgeted in them will be moved to s.20.445 (1) (m) by this decision item:

s.20.445 (1) (ma), "Federal aid — program administration," (budget numeric 145);

x-ref  
✓ 106.15(7)

s.20.445 (1) (mb), "Federal aid — employment and training local assistance," (budget numeric 142); and

✓ 106.15(2)

s.20.445 (1) (mc), "Federal aid — employment and training aids," (budget numeric 152).

✓ 106.15(3)

(intro)  
change to (m)



**Separately budget for DWS DOL funds and federal funds for the Worker's Comp., Equal Rights, and UI divisions – continued**

(Notes from DWD)

⑥  
JK The drafter should review s.20.445 (1) (n) to determine whether there are references associated solely with non-UI functions that should be modified to reflect the proposed transfer of DWS position authority and related funding (notably Job Service) to the appropriation at s.20.445 (1) (m). Specifically:

- a. Given the above recommendation to add a generic reference to federal funds for activities performed by UI, and given the proposed transfer of DWS funding and activities to the appropriation at s.20.445 (1) (m), the current-law reference in s.20.445 (1) (n) to the department's "other efforts to regularize employment," appears unnecessary.
- b. Similarly, given the above recommendation to add a generic reference to federal funds for activities performed by UI, the current reference to "paying allowances for stimulating education during unemployment," appears to be unnecessary to describe UI activities, and could be confusing if such activities administered by DWS are no longer budgeted in s.20.445 (1) (n).
- c. The reference to moneys for "the employment service under s.106.09 (4) to (6)" appears to be unduly narrow to constitute a general reference to either Job Service or UI functions. The provision at s.106.09 (4) accepting "the provisions of an act of congress approved June 6, 1933, entitled, 'An act to provide for the establishment of a national employment system...'" may be obsolete in view of the more general acceptance-of-federal-funds statute at s.16.54. And the provision at s.106.09 (5) requiring any funds made available to the state under that act to be paid "into the administrative financing account under s.20.445 (1) (n)," appears unnecessary in view of the appropriation definitions proposed in this decision item and possibly obsolete federal program references.



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1264/1

NOTE

...King  
GMM + JTK

DOA:.....Fath - BB0301, Federal workforce investment funds separation  
FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

1 AN ACT <sup>DON'T GEN. CAT.</sup>; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EMPLOYMENT**

This bill makes various changes to the DWD federal appropriations for workforce development. The bill repeals appropriations of federal moneys for employment and training administration, employment and training local assistance, and employment and training aids and consolidates those appropriations into a single appropriation of federal moneys for the workforce investment and assistance activities of DWD. The bill also creates an appropriation of federal moneys for the activities of the division of equal rights in DWD and an appropriation of federal moneys for the worker's compensation activities of DWD.

TWS ANALYSIS

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

2 SECTION 1. 20.445 (1) (m) of the statutes is amended to read:  
3 20.445 (1) (m) *Federal funds Workforce investment and assistance; federal*  
4 *moneys.* All federal moneys received as authorized under s. 16.54, except as

1 otherwise appropriated under this section, for the ~~purposes of the programs~~  
 2 ~~administered by workforce investment and assistance activities of the department,~~  
 3 to be used for those purposes.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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. 2; 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, 236, 237, 252; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

4 SECTION 2. 20.445 (1) (ma) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 3. 20.445 (1) (mb) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 4. 20.445 (1) (mc) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

JWS  
2-6

7 SECTION 5. 20.445 (1) (o) of the statutes is created to read:

8 20.445 (1) (o) *Equal rights; federal moneys.* All federal moneys received for the  
 9 activities of the division of equal rights in the department, to be used for those  
 10 purposes.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 SECTION 6. 20.445 (1) (p) of the statutes is created to read:

12 20.445 (1) (p) *Worker's compensation; federal moneys.* All federal moneys  
 13 received for the worker's compensation activities of the department, to be used for  
 14 those purposes.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

✓14  
JWS  
2-14

15 SECTION 7. 106.15 (3) (intro.) of the statutes is amended to read:



2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1264/linsJTK  
JTK.....

INS 2-6: ✓

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

20.445 (1) (n) ~~Unemployment~~ Employment assistance and unemployment insurance administration; federal moneys. All federal moneys received, as authorized by the governor under s. 16.54, for the employment service under s. 106.09 (4) to (6) for the administration of employment assistance and unemployment insurance or programs of the department, for the performance of the department's other functions under ch. 108, and for its other efforts to regularize employment, except moneys appropriated under par. (nc), and to pay the compensation and expenses of appeal tribunals and of employment councils and to pay allowances stimulating education during unemployment appointed under s. 108.14, to be used for such purposes, except as provided in s. 108.161 (3e), and to transfer to the appropriation account under par. (nb) an amount determined by the treasurer of the unemployment reserve fund not exceeding the lesser of the amount specified in s. 108.161 (4) (d) or the amounts in the schedule under par. (nb).

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.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

INS 2-14: ✓

SECTION 2. 106.09 (4) of the statutes is repealed.

SECTION 3. 106.09 (5) of the statutes is amended to read:

106.09 (5) The department is authorized and directed to cooperate with the U.S. employment service in the administration of ~~said act and in carrying out all agreements made thereunder~~ its functions.

**History:** 1971 c. 185 ss. 1, 7; 1971 c. 228 ss. 25, 42; Stats. 1971 s. 101.23; 1973 c. 90 s. 559; 1979 c. 34 s. 2102 (25) (a); 1981 c. 36 s. 45; 1983 a. 27; 1985 a. 29 ss. 1650, 3202 (29); 1995 a. 27 s. 3692; Stats. 1995 s. 106.09.

**SECTION 4.** 106.09 (6) of the statutes is repealed.

**2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1264/lin2JTK  
JTK.....

*JWS ANALYSIS*

✓  
The bill also revises an appropriation to DWD governing the expenditure of federal employment assistance and unemployment insurance moneys and replaces some specific statutory language relating to these programs with more general language.

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-01264/1dn

GMM

King  
JTK

Erin:

In reviewing this draft, please note all of the following:

1. The draft not only amends the title to s. 20.445 (1) (m) as requested, but also amends the text of that provision to say that the federal moneys in that appropriation are for the workforce investment and assistance activities of DWD. Merely amending the title of a provision does not effect any substantive change in the law because s. 990.001 (6) provides that the titles to subchapters, sections, subsections, paragraphs, and subdivisions of the statutes are not part of the statutes. In other words, titles are not law. Accordingly, it is necessary to amend not only the title but also the text of s. 20.445 (1) (m) to specify that that appropriation is for the workforce investment and assistance activities of DWD.

2. Section 20.445 (1) (p), as created by the draft, does not reference the division of worker's compensation because that division is not created by statute and, therefore, is not recognized by the statutes. Instead the draft references "the worker's compensation activities of the department," which has virtually the same legal and practical effect and which avoids vesting powers in an entity whose existence is not recognized by the statutes. Note that the same problem does not arise with respect to the division of equal rights in s. 20.445 (1) (o), as created by the draft, because the division of equal rights is created in s. 15.223 (1), and, therefore, its existence is acknowledged by the statutes.

3. Because your intent is to consolidate s. 20.445 (1) (ma), (mb), and (mc) into s. 20.445 (1) (m), the draft also includes nonstatutory language transferring the unencumbered balances in s. 20.445 (1) (ma), (mb), and (mc) to s. 20.445 (1) (m). Otherwise, the unencumbered balances in those appropriations would lapse to the general fund as provided in s. 20.002 (3m).

If you have any questions about the draft, please do not hesitate to contact me directly at the phone number or e-mail address listed below.

Gordon M. Malaise  
Senior Legislative Attorney  
Phone: (608) 266-9738  
E-mail: gordon.malaise@legis.state.wi.us





**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1264/1dnJTK  
JTK.....

*D-Note  
cont*

In treating s. 20.445 (1) (n), stats., I did not refer to the division of unemployment insurance because it is not a statutory division. I have instead referred to "the unemployment insurance programs of the department". Regarding the transfer of moneys from the appropriation account under s. 20.445 (1) (m), stats., to the appropriation account under s. 20.445 (1) (n), stats., for federal reimbursements to the division of unemployment insurance for data, this draft does not provide for any one-time or continuing transfer of these reimbursements. Rather, the draft assumes that, in the future, these reimbursements will be credited directly to the appropriation account under s. 20.445 (1) (n), stats. If a one-time or continuing transfer is desired, we need to redraft.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1264/1dn  
GMM&JTK:kmg:pg

January 3, 2003

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3. Because your intent is to consolidate s. 20.445 (1) (ma), (mb), and (mc) into s. 20.445 (1) (m), the draft also includes nonstatutory language transferring the unencumbered balances in s. 20.445 (1) (ma), (mb), and (mc) to s. 20.445 (1) (m). Otherwise, the unencumbered balances in those appropriations would lapse to the general fund as provided in s. 20.002 (3m).

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Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778



(DNR 12)  
State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1264/r 2

GMM&JTK:kmg:pg

↑  
kif

Hummer +

DOA:.....Fath BB0301, Federal workforce investment funds separation;  
Employment assistance and UI funding revisions

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

Don't Gen

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

*Analysis by the Legislative Reference Bureau*

**EMPLOYMENT**

This bill makes various changes to the DWD federal appropriations for workforce development. The bill repeals appropriations of federal moneys for employment and training administration, employment and training local assistance, and employment and training aids and consolidates those appropriations into a single appropriation of federal moneys for the workforce investment and assistance activities of DWD. The bill also creates an appropriation of federal moneys for the activities of the division of equal rights in DWD and an appropriation of federal moneys for the worker's compensation activities of DWD.

The bill also revises an appropriation to DWD governing the expenditure of federal employment assistance and unemployment insurance moneys and replaces some specific statutory language relating to these programs with more general language.

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

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

1 unemployment reserve fund not exceeding the lesser of the amount specified in s.  
2 108.161 (4) (d) or the amounts in the schedule under par. (nb).

FNS 3-2

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 6. 20.445 (1) (o) of the statutes is created to read:

4 20.445 (1) (o) *Equal rights; federal moneys.* All federal moneys received for the  
5 activities of the division of equal rights in the department, to be used for those  
6 purposes.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 SECTION 7. 20.445 (1) (p) of the statutes is created to read:

8 20.445 (1) (p) *Worker's compensation; federal moneys.* All federal moneys  
9 received for the worker's compensation activities of the department, to be used for  
10 those purposes.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 SECTION 8. 106.09 (4) of the statutes is repealed.

12 SECTION 9. 106.09 (5) of the statutes is amended to read:

13 106.09 (5) The department is authorized and directed to cooperate with the  
14 U.S. employment service in the administration of said act and in carrying out all  
15 agreements made thereunder its functions.

16 SECTION 10. 106.09 (6) of the statutes is repealed.

17 SECTION 11. 106.15 (3) (intro.) of the statutes is amended to read:

18 106.15 (3) GRANTS. (intro.) From the appropriation appropriations under s.  
19 20.445 (1) (bc), (jm), ~~(mb)~~ and ~~(me)~~ and (m), the department shall make grants to  
20 persons providing employment and training activities to dislocated workers  
21 including but not limited to all of the following:

XXXX NOTE: This is reconciled s. 20,445(1)(n). This section has been affected by drafts with the following LRB #'s: LRB-1264/1 and LRB-1939/1.

*ANS 3-2*

1           20.445 (1) (n) *Unemployment administration; federal moneys.* All federal  
 2 moneys received for the employment service under s. 106.09 (4) to (6), for the  
 3 administration of unemployment insurance or for the performance of the  
 4 department's functions under subch. I of ch. 106 and ch. 108, and for its other efforts  
 5 to regularize employment, except moneys appropriated under par. (nc), to pay the  
 6 compensation and expenses of appeal tribunals and of councils and to pay allowances  
 7 stimulating education during unemployment, to be used for such purposes except as  
 8 provided in s. 108.161 (3e), and to transfer to the appropriation account under par.  
 9 (nb) an amount determined by the treasurer of the unemployment reserve fund not  
 10 exceeding the lesser of the amount specified in s. 108.161 (4) (d) or the amounts in  
 11 the schedule under par. (nb), and to transfer to the appropriation account under par.  
 12 (nd) an amount determined by the treasurer of the unemployment reserve fund not  
 13 exceeding the lesser of the amount specified in s. 108.161 (4) (d) or the amounts in  
 14 the schedule under par. (nd).

**SECTION 2.** 20.445 (1) (nd) of the statutes is created to read:

20.445 (1) (nd) *Unemployment insurance administration; apprenticeship.*

17 From the moneys received from the federal government under section 903 of the  
 18 federal Social Security Act, as amended, the amounts in the schedule, as authorized  
 19 by the governor under s. 16.54, to be used for administration by the department of  
 20 apprenticeship programs under subch. I of ch. 106. All moneys transferred from par.  
 21 (n) for this purpose shall be credited to this appropriation account. Notwithstanding  
 22 s. 20.001 (3) (a), the treasurer of the unemployment reserve fund shall transfer any  
 23 unencumbered balance in this appropriation account that is not needed or available  
 24 to carry out the purpose of this appropriation to the appropriation account under par.

(n). No moneys may be expended from this appropriation unless the treasurer of the

*end insert*

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1264/2dn

JTK.....  
*kyf*

*Date*

Erin Fath/Josh Hummert:

This draft reconciles LRB-1264/1 and LRB-1939/1. Both LRB-1264 and LRB-1939 should continue to appear in the compiled bill. <sup>△△</sup>

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1264/2  
GMM&JTK:kmg&kjf:cph

DOA:.....Fath/Hummert – BB0301, Federal workforce investment funds separation; Employment assistance and UI funding revisions

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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

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*Analysis by the Legislative Reference Bureau*

**EMPLOYMENT**

This bill makes various changes to the DWD federal appropriations for workforce development. The bill repeals appropriations of federal moneys for employment and training administration, employment and training local assistance, and employment and training aids and consolidates those appropriations into a single appropriation of federal moneys for the workforce investment and assistance activities of DWD. The bill also creates an appropriation of federal moneys for the activities of the division of equal rights in DWD and an appropriation of federal moneys for the worker's compensation activities of DWD.

The bill also revises an appropriation to DWD governing the expenditure of federal employment assistance and unemployment insurance moneys and replaces some specific statutory language relating to these programs with more general language.

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

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



1           20.445 (1) (m) ~~*Federal funds*~~ *Workforce investment and assistance; federal*  
2 *moneys*. All federal moneys received as authorized under s. 16.54, except as  
3 otherwise appropriated under this section, for the ~~purposes of the programs~~  
4 ~~administered by~~ workforce investment and assistance activities of the department,  
5 to be used for those purposes.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6           **SECTION 2.** 20.445 (1) (ma) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7           **SECTION 3.** 20.445 (1) (mb) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8           **SECTION 4.** 20.445 (1) (mc) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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

10           20.445 (1) (n) ~~*Unemployment*~~ *Employment assistance and unemployment*  
11 *insurance administration; federal moneys*. All federal moneys received ~~for the~~  
12 ~~employment service under s. 106.09 (4) to (6), as authorized by the governor under~~  
13 s. 16.54, for the administration of employment assistance and unemployment  
14 ~~insurance or~~ programs of the department, for the performance of the department's  
15 other functions under subch. I of ch. 106 and ch. 108, and ~~for its other efforts to~~  
16 regularize employment, except moneys appropriated under par. (nc), and to pay the  
17 compensation and expenses of appeal tribunals and of employment councils and to  
18 pay allowances ~~stimulating education during unemployment~~ appointed under s.  
19 108.14, to be used for such purposes, except as provided in s. 108.161 (3e), and to  
20 transfer to the appropriation account under par. (nb) an amount determined by the

1 treasurer of the unemployment reserve fund not exceeding the lesser of the amount  
2 specified in s. 108.161 (4) (d) or the amounts in the schedule under par. (nb), and to  
3 transfer to the appropriation account under par. (nd) an amount determined by the  
4 treasurer of the unemployment reserve fund not exceeding the lesser of the amount  
5 specified in s. 108.161 (4) (d) or the amounts in the schedule under par. (nd).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: This is reconciled s. 20.445 (1) (n). This SECTION has been affected by drafts with the following LRB numbers: LRB-1264/1 and LRB-1939/1.

6 **SECTION 6.** 20.445 (1) (o) of the statutes is created to read:

7 20.445 (1) (o) *Equal rights; federal moneys.* All federal moneys received for the  
8 activities of the division of equal rights in the department, to be used for those  
9 purposes.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 **SECTION 7.** 20.445 (1) (p) of the statutes is created to read:

11 20.445 (1) (p) *Worker's compensation; federal moneys.* All federal moneys  
12 received for the worker's compensation activities of the department, to be used for  
13 those purposes.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14 **SECTION 8.** 106.09 (4) of the statutes is repealed.

15 **SECTION 9.** 106.09 (5) of the statutes is amended to read:

16 106.09 (5) The department is authorized and directed to cooperate with the  
17 U.S. employment service in the administration of ~~said act and in carrying out all~~  
18 ~~agreements made thereunder~~ its functions.

19 **SECTION 10.** 106.09 (6) of the statutes is repealed.

20 **SECTION 11.** 106.15 (3) (intro.) of the statutes is amended to read:



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1264/2dn  
JTK:kjf:cph

February 5, 2003

Erin Fath/Josh Hummert:

This draft reconciles LRB-1264/1 and LRB-1939/1. Both LRB-1264 and LRB-1939 should continue to appear in the compiled bill.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778