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ADMINISTRATION

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March 31, 2017

Bob Lang, Director
Legislative Fiscal Bureau
One East Main, Suite 301
Madison, WI 53703

Dear Mr. Lang:

As with every biennial budget process, modifications to correct errors or better reflect the Governor's intent in preparing the budget are required. The Governor requests the changes outlined in the attached documents be added to or modified in 2017 Senate Bill 30 and 2017 Assembly Bill 64, the 2017-19 biennial budget bills.

Attached to this letter are the errata that have been identified since the budget was introduced. Most, if not all, of these items have already been discussed with your staff. Thank you for your consideration of these adjustments as the 2017-19 biennial budget deliberations move forward. Please feel free to contact me or any member of my staff to discuss further.

Sincerely,

Waylon R. Hurlburt
State Budget Director

Enc.

cc: Members, Joint Committee on Finance

2017-19 Budget Errata Report

Title	Building Program Thresholds
Agency	Administration
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	s. 16.855(22)
Description of error	Under the bill, a distinction was made between small projects and single prime thresholds. The intent was to maintain the single prime threshold at the existing $185,000 level. This was done in s. 13.48(29) in the bill.
Correction of Error	Amend the language under s. 16.855(22) to specify a threshold for single prime of $185,000 similar to the how the bill handled s. 13.48(29).
Analyst	Cory Stinebrink
Team	GGCF

2017-19 Budget Errata Report

Title	College Savings Program Change
Agency	Administration
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Section 9401(1)
Description of error	The budget for the college savings program is entered under the assumption that the transfer would occur upon the effective date of the bill. The effective date of this provision in the bill makes the transfer effective October 1, 2017.
Correction of Error	Change the effective date of the College Savings Transfer provision from October 1, 2017, to the effective date of the bill.
Analyst	Cory Stinebrink
Team	GGCF

2017-19 Budget Errata Report

Title	HR Shared Services Adjustment
Agency	Administration
Fiscal Change to Bill	-$26,000 PR-S in FY18; -$2,328,600 PR-S in FY19
Position Change to Bill	Net 0 FTE positions (-31.1 FTE positions transferred to DOA)
Citation	
Description of error	Adjustments of FTE positions and funding transferred to DOA should be made based on additional information from agencies.
Correction of Error	See attached spreadsheet for technical errata.
Analyst	Derek Sherwin
Team	GGCF

HR Shared Services Adjustment

AGENCY	REQUEST	FY18 FTE Impact at DOA	FY18 Net Increase in DOA Appropriation (20.505(1)(kz)	FY19 FTE Impact at DOA	FY19 Net Increase in DOA Appropriation (20.505(1)(kz)
DCF	Add 2.0 FTE training positions that were omitted from original position list.			2.00	$163,500
DSPS	Agency received authority to fill an existing non-HR vacant position number to fill a current HR vacancy. The incumbent hired to fill this position number will transfer to DOA in FY19.			1.00	$75,200
DOR	Move 0.25 FTE position between appropriations.			0.00	$0
DHS	Removal of 3.0 FTE positions directly tied to agency specific training.			-3.00	($278,700)
	Substitute 1.0 FTE to transfer in FY18 & FY19.	0.00	($26,000)	0.00	($26,000)
	Transfer additional 1.0 FTE IS business specialist; provide DPM expenditure authority for Adobe Training Software.			1.00	$206,800
DNR	Remove 2.0 FTE positions - 1.0 Finance related and 1.0 risk management related.			-2.00	($171,800)
	Provide DPM expenditure authority for software contracts and LTEs.			0.00	$42,600
DOC	Remove 15.0 FTE positions, as incumbents are DOC-specific training staff.			-15.00	($1,487,400)
	Provide DPM expenditure authority for software contracts and LTEs.			0.00	$312,500
DOT	Remove 2.50 FTE positions, as only a portion of their time is dedicated to HR. Add LTE and software contracts			-2.50	($30,900)
WHS	Add LTE HR Assistant			0.00	$21,500
DMA	Exempt due to potential issues with federal grant reimbursement for HR personnel. Keeping DMA in program could result in loss of $308,000 of federal funds.			-7.60	($741,000)
ETF	Exempt entirely given statutory fiduciary trust fund responsibility (5.0 FTE)			-5.00	($499,400)
SWIB	Explicitly exempt from initiative.			2.00	$0
SFP	Add 2 LTEs.			0.00	$84,500
TOTAL		0.00	($26,000)	(31.10)	($2,328,600)

2017-19 Budget Errata Report

Title	State Operations Adjustments
Agency	Agriculture, Trade & Consumer Protection
Fiscal Change to Bill	$122,700 AF in each year
Position Change to Bill	0.6 FTE position
Citation	ss. 20.115(3)(a), (8)(a), (7)(r) and (8)(jm)
Description of error	The calculations for the State Operations Adjustment DIN were done incorrectly. In addition, 0.6 FTE position was double counted for DIN 8200.
Correction of Error	Reduce s. 20.115(3)(a) by an additional $24,200 GPR in each year; increase s. 20.115(8)(a) by an additional $129,600 GPR in each year and 0.6 FTE position; increase s. 20.115(7)(r) by an additional $20,600 SEG in each year; decrease s. 20.115(8)(jm) by an additional $3,300 PR in each year.
Analyst	Caitlin Frederick
Team	AEJ

2017-19 Budget Errata Report

Title	Board on Aging and Long-Term Care Ombudsmen Funding
Agency	Board on Aging & Long-Term Care; Health Services
Fiscal Change to Bill	BOALTC: -$134,000 PR-S in FY18 and -$133,200 PR-S in FY19; $91,900 GPR in FY18 and $157,800 GPR in FY19. DHS: -$50,000 GPR annually; $41,900 PR-F in FY18 and $107,800 PR-F in FY19
Position Change to Bill	BOALTC: Shift 1.5 FTE positions in FY18 and 2.0 FTE positions in FY19 from PR-S to GPR.
Citation	ss. 20.432(1)(a) and (k); s. 20.435(4)(bm) and (pa)
Description of error	The budget includes 3.0 FTE positions in FY18 and 4.0 FTE positions in FY19 for BOALTC IRIS Ombudsman services. The positions are funded 100% PR-S with GPR budgeted at DHS, but should have been split 50% GPR and 50% PR-S at BOALTC with PR-F budgeted at DHS. The positions are budgeted for 12 months in each fiscal year but should be budgeted 9 months in FY18 and 12 months in FY19. In addition, these positions will likely be required to do extensive travel and the budget did not take this into account. The budget includes $20,000 annually for all supply costs ($5,000 per FTE) which will be inadequate to pay the DOA fleet rate for a personally assigned state vehicle as well as other supplies costs. The budget should have included $9,800 per FTE in the first year and $11,900 per FTE in the second year for all supply costs (travel costs, IT, etc.).
Correction of Error	Decrease PR-S and increase GPR funding and position authority at BOALTC, and decrease GPR and increase FED expenditure authority at DHS. See attached summary document.

Analyst	Cynthia Dombrowski
Team	HSI

Board on Aging and Long-Term Care Ombudsmen Funding

	Governor's Bill		Should Be		Change to Bill	
	FY18	FY19	FY18	FY19	FY18	FY19
Funding						
PR-S (BOALTC)	225,900	291,000	91,900	157,800	(134,000)	(133,200)
GPR (DHS)	50,000	50,000	0	0	(50,000)	(50,000)
GPR (BOALTC)	-	-	91,900	157,800	91,900	157,800
PR-F (DHS)	50,000	50,000	91,900	157,800	41,900	107,800
Total	325,900	391,000	275,700	473,400	(50,200)	82,400
Positions						
FTE (PR-S BOALTC)	3.0	4.0	1.50	2.00	(1.50)	(2.00)
FTE (GPR BOALTC)	-	-	1.50	2.00	1.50	2.00

2017-19 Budget Errata Report

Title	Children and Family Aids Adjustment
Agency	Children & Families
Fiscal Change to Bill	-$346,700 GPR and -$113,900 PR-F in each year
Position Change to Bill	None
Citation	Budget System Only
Description of error	The fiscal change reflects that, in its PR-F reestimate decision item, DCF requested additional expenditure authority in its foster care; community aids appropriation to cover remaining costs from the last approved foster care rate increase. However, the Governor's Budget provided the GPR funding and PR-F expenditure authority adjustment for children and family aids cost-to-continue. Without a corresponding adjustment to the PR reestimate decision item, funding for children and family aids cost-to-continue is counted twice.
Correction of Error	Given this, the decision item that recommended additional GPR and federal IV-E match can be removed. This would result in -$346,700 GPR and -$113,900 IV-E in each year. In addition, modify the county allocation specified under s. 48.563(2) for children and family aids so that it is set at $70,211,100 in FY18 and $74,308,000 in FY19.
Analyst	Sasha Bong
Team	GGCF

2017-19 Budget Errata Report

Title	Children and Family Aids Numeric-Level Adjustment
Agency	Children & Families
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Budget System Only
Description of error	The additional funding recommended in the 2017-19 biennial budget for children and family aids ($1,250,000 in FY18 and $5,000,000 in FY19) was intended to be funded with federal Title IV-E funds. The correct change was made at the correct alpha appropriation level in the budget system, but funding was put into the incorrect numeric.
Correction of Error	Move the additional funding provided to children and family aids from numeric 159 to numeric 158 within the same alpha appropriation.
Analyst	Sasha Bong
Team	GGCF

2017-19 Budget Errata Report

Title	Child Care Cliff Income Limit Clarification
Agency	Children & Families
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	s. 49.155(1m)(c)1d., created under the budget bill
Description of error	The provision created in the budget bill relating to mitigating the child care cliff does not specify a maximum income level for child care subsidies. In theory, this could lead to an individual earning a higher income receiving child care subsidies.
Correction of Error	The Committee may want to consider setting a cutoff income level relating to the child care cliff. As an example, the federal government does not allow individuals with incomes above 85 percent of the state median income to receive federally-funded child care subsidies.
Analyst	Sasha Bong
Team	GGCF

2017-19 Budget Errata Report

Title	TANF Allocation for Civil Legal Services
Agency	Children & Families
Fiscal Change to Bill	-$500,000 TANF per year
Position Change to Bill	None
Citation	s. 49.175(1)(j)
Description of error	When created under the 2015-17 budget bill, the TANF allocation for civil legal services under s. 49.175(1)(j) was intended to sunset after FY17. The allocation was erroneously carried over in the 2017-19 TANF fund condition.
Correction of Error	Remove the civil legal services allocation from the TANF fund condition, which would increase the TANF balance by $500,000 in each year and reduce the 2019-21 structural deficit by the same amount.
Analyst	Sasha Bong
Team	GGCF

2017-19 Budget Errata Report

Title	CCDBG Background Check Requirements
Agency	Children & Families
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	ss. 48.685(2)(bm) and (4m)(d)
Description of error	One reference to the current practice of checking the records of an individual, who has resided outside Wisconsin within the 3 years before a background check is requested, was missed in an overall revision to change references from 3 years to 5 years. Under s. 48.685(4m)(d), language is missing to clarify that if DCF learns a caregiver or nonclient resident is the subject of a pending investigation for a crime or offense that could result in a bar to employment as a caregiver or residence at an entity, DCF may notify the entity of the pending investigation.
Correction of Error	Change s. 48.685(2)(bm) so that all references to 3 years are instead references to 5 years. Modify the last part of s. 48.685(4m)(d) so that it reads "the department may notify the entity of the pending investigation."
Analyst	Sasha Bong
Team	GGCF

2017-19 Budget Errata Report

Title	Contract Beds
Agency	Corrections
Fiscal Change to Bill	$229,900 GPR in each year
Position Change to Bill	None
Citation	s. 20.410(1)(ab)
Description of error	Used the Agency Requested daily rate to calculate the costs from housing adults in DJC facilities as part of the Contract Bed DIN. Agency request for FY18 was $326, but Governor Recommendation for FY18 is $344. The recommended daily rate for FY19 is $352, but $344 should be used for both years.
Correction of Error	Increase the amounts in the schedule for d. 20.410(1)(ab) by $229,900 for FY18 and FY19. This change should be reflected in both years because of the intent to fund contract beds at the same amount for FY18 and FY19.
Analyst	Nicholas Peak
Team	AEJ

2017-19 Budget Errata Report

Title	Director of Parole
Agency	Corrections
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	
Description of error	The bill does not explicitly say that the Director of Parole is appointed by the Governor.
Correction of Error	Clarify that the Director of Parole is appointed by the Governor.
Analyst	Caitlin Frederick
Team	AEJ

2017-19 Budget Errata Report

Title	Domestic Partner Survivorship Health Benefits
Agency	Employee Trust Funds
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	s. 40.02(25)(b)3.
Description of error	Budget bill removed privileges for surviving domestic partner to purchase state group health insurance, effective January 1, 2018.
Correction of Error	Reinstate s. 40.02(25)(b)3. to allow a surviving domestic partner of an employee to purchase group health insurance coverage at full price, if the surviving domestic partner was covered by a state group health plan at the time of the employee's death. This currently affects 7 people.
Analyst	Derek Sherwin
Team	GGCF

2017-19 Budget Errata Report

Title	WERC Full Funding
Agency	Employment Relations Commission
Fiscal Change to Bill	$900 GPR per year
Position Change to Bill	None
Citation	Budget System only
Description of error	Did not include LTE fringe benefits in full funding calculation.
Correction of Error	Increase fringe benefits amount by $900 GPR per year.

Analyst	Derek Sherwin
Team	GGCF

2017-19 Budget Errata Report

Title	Youth Crisis Stabilization and Peer Run Respite Expenditure Authority
Agency	Health Services
Fiscal Change to Bill	$249,100 PR in FY18 and $1,446,400 PR in FY19
Position Change to Bill	None
Citation	s. 20.435(2)(gk)
Description of error	The Governor's budget transferred $249,100 in FY18 and $1,446,400 in FY19 from s. 20.435(2)(gk) to s. 20.435(5)(ky) for the purposes of a Children's Crisis Stabilization facility and Peer Run Respite Center. The Governor's budget did not include an increase in expenditure authority in s. 20.435(2)(gk), as was the intention.
Correction of Error	Increase the expenditure authority in s. 20.435(2)(gk), numeric 229, by $249,100 PR in FY18 and $1,446,400 PR in FY19.
Analyst	Ryan Hutter
Team	HSI

2017-19 Budget Errata Report

Title	FSET Reestimate
Agency	Health Services
Fiscal Change to Bill	-$585,600 GPR and -$585,600 FED in FY19
Position Change to Bill	None
Citation	ss. 20.435(4)(bp) and (np)
Description of error	The budget incorrectly calculated the overlap between the Mandatory Referral for FSET and the Pilot for FSET for adults with school-aged children.
Correction of Error	Decrease expenditure authority by $585,600 GPR and $585,600 FED in FY19.
Analyst	Cynthia Dombrowski
Team	HSI

2017-19 Budget Errata Report

Title	Food Share Asset Limit MILES Costs
Agency	Health Services
Fiscal Change to Bill	-$297,400 GPR and -$297,400 FED in FY19
Position Change to Bill	-3.08 FTE positions in FY19 (-1.54 FTE GPR & -1.54 FTE FED)
Citation	ss. 20.435(4)(a), (bn), (n) and (nn)
Description of error	Costs at the Milwaukee Enrollment Center were inadvertently doubled.
Correction of Error	Reduce funding and position authority in FY19.
Analyst	Cynthia Dombrowski
Team	HSI

2017-19 Budget Errata Report

Title	Medicaid Administration Costs
Agency	Health Services
Fiscal Change to Bill	-$273,000 GPR and -$1,588,200 FED in FY18
Position Change to Bill	None
Citation	ss. 20.435(4)(bm) and (pa)
Description of error	This erratum has two components. A portion of the contract costs for the MMIS reprocurement was budgeted in two decision items. There was a minor error in the IRIS contract cost related to record review.
Correction of Error	Reduce the MA Admin decision item by $164,400 GPR and $1,479,600 FED in FY18 related to the MMIS reprocurement. Reduce the MA Admin decision item by $108,600 GPR and $108,600 FED in FY18 related to the IRIS contract cost for record review.
Analyst	Cynthia Dombrowski
Team	HSI

2017-19 Budget Errata Report

Title	Renewable Energy
Agency	Health Services
Fiscal Change to Bill	$0
Position Change to Bill	None
Citation	
Description of error	The budget identifies fuel and utilities appropriations from which select agencies reimburse DOA for premiums paid for renewable energy. DHS uses 2 appropriations for this purpose. We did not create an appropriation to mirror s. 20.435(2)(gk) to transfer budget authority to.
Correction of Error	Create a PR appropriation from which to reimburse DOA for renewable energy premiums, similar in funding source to s. 20.435(2)(gk). This new appropriation would be created in a similar manner to the other renewable energy appropriations created in the Governor's recommendations. There would have to be an inclusion of appropriation language to prohibit expenses for the premium paid for renewable energy from being paid from s. 20.435(2)(gk). -Reduce the appropriation under s. 20.435(2)(fm) by $87,500 from $240,100 to $153,900. -Increase the appropriation under s. 20.435(2)(f) by $87,500. -Reduce the appropriation under s. 20.435(2)(gk) by $87,500. -Provide $87,500 of expenditure authority in the new appropriation created under this request.
Analyst	Cory Stinebrink
Team	GGCF

2017-19 Budget Errata Report

Title	Lease and Directed Moves Costs
Agency	Historical Society
Fiscal Change to Bill	$11,700 PR
Position Change to Bill	None
Citation	s. 20.245(1)(m) and (ks)
Description of error	File maintenance error; $11,700 in PR-F over the biennium was deleted from s. 20.245(1)(m), and should have been provided as PR in s. 20.245(1)(ks) but was not.
Correction of Error	Increase of $5,900 PR in FY18 and $5,800 in FY19 under s. 20.245(1)(ks).
Analyst	Bryan Kirschbaum
Team	EWD

2017-19 Budget Errata Report

Title	OCI - DOA IT Transfer
Agency	Insurance, Office of the Commissioner of; Administration
Fiscal Change to Bill	$46,700 PR-S in FY18; $510,400 PR-S in FY19
Position Change to Bill	None
Citation	ss. 20.505(1)(kL); 20.145(1)(g)
Description of error	This erratum has multiple components: 1. The DOA amount budgeted in FY19 was inadvertently prorated for 9 months and should have been budgeted for 12 months. 2. The list of positions identified for transfer was revised after the budget submission to refine which positions will transfer. There is no net difference in the number of positions being transferred to DOA. The FY18 amount budgeted in DOA is also modified to reflect this change and to correct a salary/fringe calculation error.
Correction of Error	For OCI (numeric 131), increase Permanent Salaries $37,300 in FY18 and $49,700 in FY19. Increase Fringe $13,800 in FY18 and $18,400 in FY19. Decrease Supplies and Services $51,100 in FY18 and $68,100 in FY19. For DOA (numeric 126), increase Permanent Salaries $33,500 in FY18 and $339,800 in FY19. Increase Fringe $13,200 in FY18 and $134,400 in FY19. Increase Supplies and Services $36,200 in FY19.
Analyst	Ryan Hutter
Team	HSI

2017-19 Budget Errata Report

Title	Beat Patrol Overtime
Agency	Justice
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Section 406
Description of error	The statutory cross reference in Section 406, line 14, is "s. 165.968(7)," it should be "s. 165.986(7)."
Correction of Error	Change the statutory reference to s. 165.986(7)
Analyst	Andrew Potts
Team	AEJ

2017-19 Budget Errata Report

Title	Internet Crimes Against Children
Agency	Justice
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	s. 20.455(2)(hd)
Description of error	s. 20.455(2)(hd) specifically refers to, "All moneys transferred under 2015 Wisconsin Act 369." It should also include this budget.
Correction of Error	Add "and 2017 Wisconsin Act [this Act]" after the reference to 2015 Wisconsin Act 369.
Analyst	Andrew Potts
Team	AEJ

2017-19 Budget Errata Report

Title	Technical Clarifications for LIRC Elimination
Agency	Labor and Industry Review Commission
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Multiple - See LRBb0009/P3
Description of error	In various places in the budget bill, clarification is needed regarding which review level's findings of fact are conclusive, which review level's decision is being appealed to circuit court, and the scope of review powers of the various division administrators. These technical changes are set forth in LRBb0009/P3.
Correction of Error	Adopt LRBb0009/P3 to amend the budget bill.
Analyst	Bryan Kirschbaum
Team	EWD

State of Wisconsin
2017 - 2018 LEGISLATURE

LRBb0009/P3
MED:klm

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY BILL 64

At the locations indicated, amend the bill as follows:

1. Page 632, line 7: delete "~~reverse~~ remand," and substitute "reverse, remand,".

2. Page 632, line 18: after "examiner" insert ", or of the labor and industry review commission under ch. 102, 2015 stats.,".

3. Page 634, line 1: delete "~~the commission~~ an examiner" and substitute "the ~~commission~~ administrator".

4. Page 634, line 15: delete "division" and substitute "administrator".

5. Page 635, line 1: delete "division or agent" and substitute "administrator or agent".

6. Page 635, line 1: delete "division to accept" and substitute "administrator to accept".

7. Page 635, line 4: on lines 4, 6, 14 and 17, delete "division" and substitute "administrator".

8. Page 635, line 24: delete "or the examiner".

9. Page 636, line 2: delete "examiner" and substitute "administrator".

10. Page 636, line 17: delete "~~the commission~~ an examiner" and substitute "the ~~commission~~ administrator".

11. Page 636, line 18: delete "examiner" and substitute "administrator".

12. Page 636, line 19: delete "~~the commission's~~ an" and substitute "the ~~commission's~~ administrator's".

13. Page 636, line 20: delete "~~to the commission~~ if the ~~commission's~~" and substitute "to the ~~commission~~ administrator if the ~~commission's~~ administrator's".

14. Page 636, line 25: delete "~~to the commission~~" and substitute "to the ~~commission~~ administrator".

15. Page 637, line 21: delete "division" and substitute "administrator".

16. Page 638, line 9: on lines 9 and 15, delete "division" and substitute "administrator".

17. Page 641, line 23: delete "division" and substitute "administrator".

18. Page 642, line 2: delete "division" and substitute "administrator".

19. Page 644, line 4: delete "~~and (7)~~" and substitute "and (7)".

20. Page 661, line 4: after "submitted" insert "<u>, and, in the absence of fraud, the administrator shall adopt the examiner's findings of fact unless the findings of fact are not supported by credible and substantial evidence</u>".

21. Page 661, line 4: delete "<u>department</u>" and substitute "<u>administrator</u>".

22. Page 661, line 10: delete "decision made by" and substitute "~~decision made by~~ <u>order of</u>".

23. Page 661, line 13: delete "decision" and substitute "~~decision~~ <u>order</u>".

24. Page 661, line 14: after "<u>administrator</u>" insert "<u>, or of the labor and industry review commission under s. 106.52, 2015 stats., or 106.56, 2015 stats.,</u>".

25. Page 661, line 19: delete "~~an order of the commission~~ <u>a decision of the</u>" and substitute "an order of the ~~commission~~".

26. Page 661, line 25: delete "<u>department</u>" and substitute "<u>administrator</u>".

27. Page 662, line 15: delete "<u>department</u>" and substitute "<u>administrator</u>".

28. Page 664, line 8: delete "written synopsis of the testimony or shall use a" and substitute "~~written synopsis of the testimony or shall use a~~ ".

29. Page 664, line 22: delete "a decision" and substitute "~~a decision~~ <u>an order</u>".

30. Page 664, line 24: delete "decision" and substitute "~~decision~~ <u>order</u>".

31. Page 665, line 2: delete "or" and substitute "~~or~~<u>, any decision of an</u>".

32. Page 665, line 3: delete "or commission decision" and substitute "~~or commission decision~~<u>, any order of the administrator, or any order of the labor and industry review commission under ch. 108, 2015 stats.,</u>".

33. Page 665, line 6: delete "or any decision of an appeal tribunal or of the ~~commission~~ administrator" and substitute "~~or~~, any decision of an appeal tribunal, or any order of the ~~commission~~ administrator".

34. Page 665, line 9: delete "commission" and substitute "~~commission~~ administrator".

35. Page 665, line 15: after that line insert:

"**SECTION 1424m.** 108.09 (6) (cm) of the statutes is created to read:

108.09 **(6)** (cm) The administrator shall, in the absence of fraud, adopt the appeal tribunal's findings of fact unless the findings of fact are not supported by credible and substantial evidence.".

36. Page 665, line 22: delete "a decision" and substitute "~~a decision~~ an order".

37. Page 665, line 24: delete "a ~~commission~~ decision" and substitute "~~a commission decision~~ an order".

38. Page 666, line 5: delete "~~name~~ either name the department ~~or the commission~~ as" and substitute "name either the department or the ~~commission~~ administrator as".

39. Page 666, line 6: delete "~~defendants and~~ a defendant or serve the ~~commission~~ department" and substitute "defendants and serve the ~~commission~~ administrator".

40. Page 666, line 10: delete "department" and substitute "administrator".

41. Page 666, line 12: delete "department's" and substitute "administrator's".

42. Page 666, line 13: delete lines 13 to 15 and substitute "In any such judicial action, the department may appear by any licensed attorney who is a salaried employee of the department and has been designated by it for that purpose.".

43. Page 666, line 16: delete "~~the commission~~ an appeal tribunal" and substitute "the ~~commission~~ administrator".

44. Page 666, line 22: delete "~~against the commission~~" and substitute "against the ~~commission~~ administrator".

45. Page 667, line 8: delete that line and substitute "defendant other than the ~~commission~~ administrator resides. The".

46. Page 667, line 15: on lines 15, 16, 19 and 21, delete "department" and substitute "administrator".

47. Page 668, line 2: on lines 2, 5 and 7, delete "department" and substitute "administrator".

48. Page 668, line 7: delete "~~of the judgment roll~~" and substitute "of the judgment roll".

49. Page 668, line 13: delete "appeal tribunal or the".

50. Page 668, line 15: delete "~~order~~ decision" and substitute "administrator's order".

51. Page 668, line 16: delete "appeal tribunal" and substitute "administrator".

52. Page 668, line 19: delete "appeal tribunal, the administrator," and substitute "administrator".

53. Page 668, line 21: delete "department" and substitute "administrator".

54. Page 668, line 25: delete "appeal" and substitute "administrator".

55. Page 669, line 1: delete "tribunal".

56. Page 669, line 3: delete "~~to the commission~~ if the ~~commission's~~ order" and substitute "to the ~~commission~~ administrator if the ~~commission's~~ administrator's order".

57. Page 669, line 14: delete "~~commission or the~~" and substitute "~~commission~~ administrator or the".

58. Page 669, line 18: delete "determination or the decision" and substitute "determination ~~or~~, the decision".

59. Page 669, line 19: delete "administrator, or a reviewing" and substitute "order of the administrator, or the decision of a reviewing".

60. Page 669, line 21: after that line insert:

"**SECTION 1428g.** 108.09 (9) (b) of the statutes is amended to read:

108.09 **(9)** (b) Where such determination ~~or~~, decision, or order is subsequently amended, modified, or reversed by a more recently issued determination ~~or~~, decision, or order, benefits shall be paid or denied in accordance with the most recently issued determination ~~or~~, decision, or order.

SECTION 1428r. 108.09 (9) (c) of the statutes is amended to read:

108.09 **(9)** (c) If any determination ~~or~~, decision, or order awarding benefits is finally amended, modified, or reversed, any benefits paid to the claimant ~~which~~ that would not have been paid under ~~such~~ that final determination ~~or~~, decision, or order shall be deemed an erroneous payment. Sections 108.04 (13) (c) and (d), 108.16 (3), and 108.22 (8) shall apply to the charging and recovery of such erroneous payment.".

61. Page 670, line 4: delete "a decision" and substitute "~~a decision~~ an order".

62. Page 670, line 7: delete "administrator's decision ~~of the commission~~" and substitute "~~decision of the commission~~ administrator's order".

63. Page 670, line 10: after that line insert:

"**SECTION 1430m.** 108.095 (8) of the statutes is amended to read:

108.095 **(8)** The mailing of determinations ~~and~~, decisions, and orders under this section shall be first class and may include the use of services performed by the postal service requiring the payment of extra fees.".

64. Page 670, line 23: delete "a ~~commission~~ decision" and substitute "~~a commission decision~~ an order".

65. Page 670, line 25: delete "a ~~commission~~ decision" and substitute "~~a commission decision~~ an order".

66. Page 671, line 6: delete "~~name~~ either name the department ~~or the commission~~ as" and substitute "name either the department or the ~~commission~~ administrator as".

67. Page 671, line 7: delete "~~defendants and~~ a defendant or serve ~~them~~ the department" and substitute "defendants and serve ~~them~~ the administrator".

68. Page 671, line 10: after that line insert:

"**SECTION 1433m.** 108.10 (5) of the statutes is amended to read:

108.10 **(5)** The mailing of determinations ~~and~~, decisions, and orders provided in subs. (1) to (4) shall be first class, and may include the use of services performed by the postal department requiring the payment of extra fees.".

69. Page 671, line 12: delete "or any" and substitute "~~or~~, any".

70. Page 671, line 13: delete "tribunal or by the ~~commission~~" and substitute "tribunal, or ~~by~~ any order of the ~~commission~~".

71. Page 671, line 15: delete "determination or" and substitute "determination ~~or~~,".

72. Page 671, line 16: delete "decision" and substitute "decision, or order".

73. Page 671, line 18: delete lines 18 and 19 and substitute "was issued, ~~or~~ before the appeal tribunal ~~or commission~~ at the time the decision was issued, or before the administrator at the time the order was issued.".

74. Page 671, line 20: delete that line and substitute:

"**SECTION 1435g.** 108.10 (7) of the statutes is amended to read:

108.10 **(7)** The ~~decision~~ order of the ~~commission~~ administrator shall become final and shall be binding upon the employer and upon the department for that case as provided in sub. (6) unless the employer or the department petitions for judicial review under sub. (4). If the ~~commission~~ administrator construes a statute adversely to the department:

(a) Except as provided in par. (b), the department is deemed to acquiesce in the construction so adopted unless the department seeks review of the ~~decision~~ order of the ~~commission~~ administrator construing the statute. The construction so acquiesced in shall thereafter be followed by the department.

(b) The department may choose not to appeal and to nonacquiesce in the ~~decision~~ order by sending a notice of nonacquiescence to the ~~commission~~ administrator, to the legislative reference bureau for publication in the Wisconsin administrative register, and to the employer before the time expires for seeking a judicial review of the ~~decision~~ order under sub. (4). The effect of this action is that,

although the ~~decision~~ order is binding on the parties to the case, the ~~commission's~~ administrator's conclusions of law, the rationale, and construction of statutes in the case are not binding on the department in other cases.".

SECTION 1435r. 108.10 (8) of the statutes is amended to read:

108.10 **(8)** The department may settle any determination, decision, order, or action involving a determination ~~or~~, decision, or order issued under this section. The department may compromise any liability for contributions or reimbursement of benefits or interest or penalties assessed under this chapter. The department shall promulgate rules setting forth factors to be considered by the department in settling actions or proposed actions or making compromises under this subsection.".

75. Page 672, line 21: delete "~~of either of them~~ by" and substitute "of ~~either of them~~".

76. Page 673, line 13: delete "decisions made by ~~the commission~~ appeal tribunals" and substitute "~~decisions made by~~ orders of the ~~commission~~".

77. Page 673, line 14: delete "and the".

78. Page 673, line 17: delete "decisions" and substitute "orders".

79. Page 673, line 22: delete "decision under" and substitute "decision or order under".

80. Page 674, line 10: delete "tribunal, the ~~commission~~ administrator, or any court" and substitute "tribunal, any order of the ~~commission~~ administrator, or any decision of any court".

81. Page 674, line 16: delete "determination or decision" and substitute "determination ~~or~~, decision, or order".

82. Page 680, line 24: after "submitted" insert ", and, in the absence of fraud, the administrator shall adopt the examiner's findings of fact unless the findings of fact are not supported by credible and substantial evidence".

83. Page 680, line 25: delete "department" and substitute "administrator".

84. Page 681, line 4: delete "decision made by" and substitute "~~decision made by~~ order of".

85. Page 681, line 7: delete "decision" and substitute "~~decision~~ order".

86. Page 681, line 8: after "administrator" insert ", or of the labor and industry review commission under subch. II of ch. 111, 2015 stats.,".

87. Page 686, line 25: delete "department" and substitute "administrator".

88. Page 922, line 1: delete "PENDING MATTERS" and substitute "EMERGENCY RULES".

89. Page 922, line 2: delete the material beginning with that line and ending with page 926, line 15.

90. Page 970, line 2: after that line insert:

"(5r) ELIMINATION OF LABOR AND INDUSTRY REVIEW COMMISSION. (am) *Worker's compensation.* The treatment of sections 102.01 (2) (af) and (ag), 102.18 (3) and (4) (b), (c) (intro.), and (d), 102.22 (2) and (3), 102.23 (1) (a) 1. and 2., (b), (c), (d), and (e) 1. and 3., (2), (5), and (6), 102.24 (1) and (2), 102.25 (1) and (2), 102.26 (1), 102.565 (3), 102.61 (2), 102.64 (title) and (3), and 103.04 first applies to a decision of a hearing examiner that is issued on the effective date of this paragraph.

(bm) *Unemployment insurance.* The treatment of sections 103.04, 103.06 (1) (a) and (ag) and (6) (c), (d), and (e), 108.02 (1m) and (7), 108.04 (13) (f), 108.09 (4) (f)

2. (intro.) and 3., (5) (b) and (d), (7) (a), (b), (c), (dm), (e), (f), (h), and (i), and (9) (a), (b), and (c), 108.095 (6), (7), and (8), 108.10 (2), (3), (4), (5), (6), (7), and (8) 108.14 (2m) and (3m), 108.17 (3m), 108.22 (8) (a) and (c) 2. of the statutes, the amendment of section 108.09 (6) of the statutes, and the creation of section 108.09 (6) (cm) of the statutes first apply to a decision of an appeal tribunal that is issued on the effective date of this paragraph.

(cm) *Equal rights.* The treatment of sections 103.001 (1) and (2), 103.04, 106.52 (4) (a) 4., (b) 1., 2., and 3., and (c), 106.56 (4) (a) and (b), 111.32 (1), (1g), and (2), 111.375 (1), 111.39 (5), 111.395, and 227.52 (7) of the statutes first applies to a decision of a hearing examiner that is issued on the effective date of this paragraph.".

(END)

2017-19 Budget Errata Report

Title	LIRC Elimination - Appeals During Transition
Agency	Labor and Industry Review Commission
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	p. 923, Section 2101
Description of error	Under the bill, where a party files an appeal (LIRC or Division Administrator) depends on when the budget is enacted. As drafted, if the budget is enacted during a party's 21-day appeal window, the review body would change (for example, on June 30, it could be LIRC, on July 1, it could be DHA). There are no provisions for notification to parties of this change.
Correction of Error	Provide that appeals of ALJ decisions made prior to enactment of the budget would be to LIRC, and ALJ decisions made upon and after enactment of the budget would be to the appropriate division administrator. This eliminates the possibility of a change in venue during an appeal window.
Analyst	Bryan Kirschbaum
Team	EWD

2017-19 Budget Errata Report

Title	DNR Reorganization
Agency	Natural Resources
Fiscal Change to Bill	$0
Position Change to Bill	0
Citation	s. 20.370
Description of error	Some reorganization items were not included in the Governor's recommendations.
Correction of Error	File maintenance and restructure of s. 20.370 to reflect the adjustments.
Analyst	Caitlin Frederick
Team	AEJ

DNR Reorganization Funding Adjustments

Decision Area	Fund	PG	AA	NUMERIC	Sum of $ TOT YR1	Sum of $ TOT YR2
Archeologist	PR-S	8	mk	831	(86,500)	(86,500)
		9	mk	939	86,500	86,500
CAFO Staffing	SEG	9	mr	976	-	-
Continuous Improvement	SEG	8	mu	861	-	-
Customer & Outreach Services	SEG	2	mv	254	(54,000)	(54,000)
		9	mu	961	54,000	54,000
Desktop Support	GPR	8	ma	801	23,800	23,800
		9	ma	901	(23,800)	(23,800)
	SEG	1	mu	161	(61,300)	(61,300)
		2	mv	254	(27,000)	(27,000)
		3	mu	361	(46,400)	(46,400)
		4	mq	475	(72,400)	(72,400)
		8	mu	861	158,100	158,100
			mv	863	72,400	72,400
		9	mu	961	(23,400)	(23,400)
DG Deputy	GPR	4	ma	401	-	-
Enforcement	SEG	1	mu	161	(1,132,300)	(1,877,400)
		2	mv	254	(788,700)	(788,700)
		3	mu	361	1,921,000	2,666,100
Environmental Enforcement	PR-F	3	mm	341	92,500	92,500
		4	mm	441	(92,500)	(92,500)
ES IT Reallocation	SEG	8	mu	861	(134,600)	(134,600)
		9	mu	961	134,600	134,600
ES Leaders Team	GPR	3	ma	301	(113,300)	(113,300)
		8	ma	801	(149,300)	(149,300)
		9	ma	901	262,600	262,600
	PR-S	9	mk	939	-	-
	SEG	8	mu	861	(29,200)	(29,200)
		9	mu	961	29,200	29,200
			mv	963	-	-
	SEG-F	8	mz	885	(119,500)	(119,500)
		9	my	987	-	-
			mz	983	119,500	119,500
FIL Positions	GPR	4	ma	401	(494,900)	(494,900)
		8	ma	801	494,900	494,900
	SEG	1	mu	161	(131,500)	(131,500)
		8	mu	861	131,500	131,500
FL to LL IT	SEG	1	mu	161	71,000	71,000
		8	mu	861	(71,000)	(71,000)
FL to Parks	SEG	1	mu	161	162,500	162,500
		8	mu	861	(162,500)	(162,500)
Fleet Transfer	SEG	8	mu	861	-	-
	SEG-F	8	mz	885	-	-
Forestry Research	SEG	2	mv	254	260,000	260,000
FWP Research	SEG	1	mu	161	233,700	233,700
	SEG-F	1	my	181	3,518,300	3,518,300
		9	my	987	(3,518,300)	(3,518,300)
FWP/Water Quality Research	SEG	9	mu	961	(510,700)	(510,700)

DNR Reorganization Funding Adjustments

Decision Area	Fund	PG	AA	NUMERIC	Sum of $ TOT YR1	Sum of $ TOT YR2
Habitat Management	SEG	1	mu	161	-	-
Internal Communication	SEG-F	8	mz	885	-	-
Karner Blue	SEG	1	mu	161	27,000	27,000
		2	mv	254	(27,000)	(27,000)
Legal	GPR	4	ma	401	(45,400)	(45,400)
		8	ma	801	45,400	45,400
	PR-S	8	mk	831	45,500	45,500
			nk	832	(45,500)	(45,500)
	SEG	1	mu	161	(56,800)	(56,800)
		8	mu	861	56,800	56,800
Master Planning	SEG	1	mu	161	(56,700)	(56,700)
		2	mv	254	(35,600)	(35,600)
		8	mu	861	92,300	92,300
	SEG-F	1	my	181	(39,600)	(39,600)
		8	my	881	39,600	39,600
NHI	PR-S	1	mk	139	(92,000)	(92,000)
		9	mk	939	92,000	92,000
Non-Game	SEG	1	mu	161	28,800	28,800
		9	mu	961	(28,800)	(28,800)
	SEG-F	1	my	181	60,200	60,200
		9	my	987	(60,200)	(60,200)
Office of Great Lakes	GPR	4	ma	401	-	-
Open Records	PR-S	8	mk	831	83,200	83,200
			nk	832	(83,200)	(83,200)
Pils	GPR	4	ma	401	-	-
Prescribed Burn	SEG	1	mu	161	(697,600)	(697,600)
		2	mu	269	697,600	697,600
Property Management	GPR	1	ma	101	100	100
		9	ma	901	(100)	(100)
	SEG	1	mu	161	2,570,200	4,293,600
		2	mv	254	(1,479,500)	(2,116,300)
		8	mu	861	(1,090,700)	(2,177,300)
	SEG-F	1	my	181	562,300	1,124,100
		8	my	881	(562,300)	(1,124,100)
Recruitment Retention Reactivation	SEG	1	mu	161	(178,900)	(178,900)
		3	mu	361	178,900	178,900
Safety Transfer	SEG	8	mu	861	-	-
	SEG-F	8	mz	885	-	-
Warehouse/Mail Services	SEG	8	mu	861	188,600	188,600
		9	mu	961	(188,600)	(188,600)
	SEG-F	8	mz	885	51,200	51,200
		9	mz	983	(51,200)	(51,200)
Waste Deputy	PR	4	dg	425	-	-
	SEG	4	mq	475	-	-
Water Quality Research	SEG	4	aq	465	17,000	17,000
			mr	478	190,700	190,700
		9	mr	976	(190,700)	(190,700)

DNR Reorganization Funding Adjustments

Decision Area	Fund	PG	AA	NUMERIC	Sum of $ TOT YR1	Sum of $ TOT YR2
Watershed	SEG-F	9	mx	986	-	-
WRZ	GPR	9	ma	901	-	-
WT Deputy	GPR	4	ma	401	(134,200)	(134,200)
		9	ma	901	134,200	134,200
WY Deputy	GPR	4	ma	401	-	-
Grand Total					-	-

DNR Reorganization Position Adjustments

Decision Area	Fund	Program	Alpha	NUMERIC	Sum of YR1 Classified Positions	Sum of YR1 Unclassified Positions	Sum of YR2 Classified Positions	Sum of YR2 Unclassified Positions
Archeologist	PR-S	8	mk	831	(1.00)		(1.00)	
		9	mk	939	1.00		1.00	
CAFO Staffing	SEG	9	mr	976	-		-	
Continuous Improvement	SEG	8	mu	861	-		-	
Customer & Outreach Services	SEG	2	mv	254	(1.00)		(1.00)	
		9	mu	961	1.00		1.00	
Desktop Support	GPR	8	ma	801	0.50		0.50	
		9	ma	901	(0.50)		(0.50)	
	SEG	1	mu	161	(1.00)		(1.00)	
		2	mv	254	(0.50)		(0.50)	
		3	mu	361	(0.50)		(0.50)	
		4	mq	475	(1.00)		(1.00)	
		8	mu	861	2.50		2.50	
			mv	863	1.00		1.00	
		9	mu	961	(0.50)		(0.50)	
DG Deputy	GPR	4	ma	401	-		-	
Enforcement	SEG	1	mu	161	(10.00)		(23.00)	
		2	mv	254	(10.00)		(10.00)	
		3	mu	361	20.00		33.00	
Environmental Enforcement	PR-F	3	mm	341	1.00		1.00	
		4	mm	441	(1.00)		(1.00)	
ES IT Reallocation	SEG	8	mu	861	(1.00)		(1.00)	
		9	mu	961	1.00		1.00	
ES Leaders Team	GPR	3	ma	301		(1.00)		(1.00)
		8	ma	801	(1.00)		(1.00)	
		9	ma	901	1.00	1.00	1.00	1.00
	PR-S	9	mk	939	-		-	
	SEG	8	mu	861	(0.20)		(0.20)	
		9	mu	961	0.20		0.20	
			mv	963	-		-	
	SEG-F	8	mz	885	(0.80)		(0.80)	
		9	my	987	-		-	
			mz	983	0.80		0.80	
FIL Positions	GPR	4	ma	401	(4.00)		(4.00)	
		8	ma	801	4.00		4.00	
	SEG	1	mu	161	(1.00)		(1.00)	
		8	mu	861	1.00		1.00	
FL to LL IT	SEG	1	mu	161	1.00		1.00	
		8	mu	861	(1.00)		(1.00)	
FL to Parks	SEG	1	mu	161	2.00		2.00	
		8	mu	861	(2.00)		(2.00)	
Fleet Transfer	SEG	8	mu	861	-		-	
	SEG-F	8	mz	885	-		-	
Forestry Research	SEG	2	mv	254				
FWP Research	SEG	1	mu	161				
	SEG-F	1	my	181	13.00		13.00	
		9	my	987	(13.00)		(13.00)	
FWP/Water Quality Research	SEG	9	mu	961				
Habitat Management	SEG	1	mu	161	-		-	
Internal Communication	SEG-F	8	mz	885	-		-	
Karner Blue	SEG	1	mu	161	0.50		0.50	
		2	mv	254	(0.50)		(0.50)	
Legal	GPR	4	ma	401	(0.40)		(0.40)	
		8	ma	801	0.40		0.40	

DNR Reorganization Position Adjustments

Decision Area	Fund	Program	Alpha	NUMERIC	Sum of YR1 Classified Positions	Sum of YR1 Unclassified Positions	Sum of YR2 Classified Positions	Sum of YR2 Unclassified Positions
	PR-S	8	mk	831	0.50		0.50	
			nk	832	(0.50)		(0.50)	
	SEG	1	mu	161	(0.50)		(0.50)	
		8	mu	861	0.50		0.50	
Master Planning	SEG	1	mu	161	(0.80)		(0.80)	
		2	mv	254	(0.50)		(0.50)	
		8	mu	861	1.30		1.30	
	SEG-F	1	my	181				
		8	my	881	-		-	
Natural Heritage Inventory	PR-S	1	mk	139	(1.00)		(1.00)	
		9	mk	939	1.00		1.00	
Non-Game	SEG	1	mu	161	0.25		0.25	
		9	mu	961	(0.25)		(0.25)	
	SEG-F	1	my	181	0.75		0.75	
		9	my	987	(0.75)		(0.75)	
Office of Great Lakes	GPR	4	ma	401	-		-	
Open Records	PR-S	8	mk	831	1.00		1.00	
			nk	832	(1.00)		(1.00)	
Pils	GPR	4	ma	401	-		-	
Prescribed Burn	SEG	1	mu	161	(7.00)		(7.00)	
		2	mu	269	7.00		7.00	
Property Management	GPR	1	ma	101	(0.00)		(0.00)	
		9	ma	901	(0.00)		(0.00)	
	SEG	1	mu	161	35.50		35.50	
		2	mv	254	(18.00)		(18.00)	
		8	mu	861	(17.50)		(17.50)	
	SEG-F	1	my	181	1.50		1.50	
		8	my	881	(1.50)		(1.50)	
Recruitment Retention Reactivation	SEG	1	mu	161	(2.00)		(2.00)	
		3	mu	361	2.00		2.00	
Safety Transfer	SEG	8	mu	861	-		-	
	SEG-F	8	mz	885	-		-	
Warehouse/Mail Services	SEG	8	mu	861	3.00		3.00	
		9	mu	961	(3.00)		(3.00)	
	SEG-F	8	mz	885	1.00		1.00	
		9	mz	983	(1.00)		(1.00)	
Waste Deputy	PR	4	dg	425	-		-	
	SEG	4	mq	475	-		-	
Water Quality Research	SEG	4	aq	465				
			mr	478	2.00		2.00	
		9	mr	976	(2.00)		(2.00)	
Watershed	SEG-F	9	mx	986	-		-	
WRZ	GPR	9	ma	901	-		-	
WT Deputy	GPR	4	ma	401	(1.00)		(1.00)	
		9	ma	901	1.00		1.00	
WY Deputy	GPR	4	ma	401	-		-	
Grand Total					(0.00)	-	(0.00)	-

2017-19 Budget Errata Report

Title	DNR Repealed Appropriation
Agency	Natural Resources
Fiscal Change to Bill	$0
Position Change to Bill	None
Citation	s. 20.370(3)(mr)
Description of error	This appropriation was repealed in a previous act.
Correction of Error	The expenditure authority under s. 20.370(3)(mr) should be transferred to s. 20.370(3)(mq). The amount of the transfer is $20,700 SEG in each year. Eliminate s. 20.370(3)(mr) from the Chapter 20 schedule.
Analyst	Caitlin Frederick
Team	AEJ

2017-19 Budget Errata Report

Title	Recreate Appropriation Inadvertently Repealed and Clarify New Appropriation
Agency	Natural Resources
Fiscal Change to Bill	$0
Position Change to Bill	None
Citation	Section 305 of the bill
Description of error	Section 305 renumbers s. 20.370(4)(aq) to (9)(aq). S. 20.370(4)(aq) should be retained, as shown in the schedule in Section 183 (Chapter 20 schedule).
Correction of Error	Restore current law language for s. 20.370(4)(aq). In addition, create, rather than renumber from s. 20.370(4)(aq), a new appropriation s. 20.370(9)(aq) to read: 20.370(9)(aq) Water resources management — lake, river, and invasive species management. The amounts in the schedule relating to lake and river management and other water resource management activities.
Analyst	Caitlin Frederick
Team	AEJ

2017-19 Budget Errata Report

Title	Water Supply District
Agency	Natural Resources
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Sections 1801-1804
Description of error	DNR has indicated that the Great Lakes Council should have diversion authority, not authority over the designated water supply area.
Correction of Error	Permit the water supply diversion area designated by the council to be considered the water supply area. **SECTION 1803.** s. 281.348 (3) (cr) of the statutes is created to read: 281.348 **(3)** (cr) For the purposes of plans under par. (a), where the Great Lakes council approves ~~delineate the proposed water supply service areas~~ a diversion area for a public water supply system making a withdrawal from the Great Lakes basin, such approved diversion area shall serve as the water supply service area for purposes of this section and. ~~The proposed water supply service areas delineated by the Great Lakes council~~ need not be consistent with the approved areawide water quality management plan under s. 283.83 for the planning area.
Analyst	Caitlin Frederick
Team	AEJ

2017-19 Budget Errata Report

Title	Closed Acres Payments
Agency	Natural Resources
Fiscal Change to Bill	$1,000,000 SEG Forestry in FY19
Position Change to Bill	None
Citation	s. 20.370(5)(dy)
Description of error	2015 Wisconsin Act 358 provided for an additional $1,000,000 in closed MFL payments to municipalities in FY19.
Correction of Error	Reestimate the FY19 amount to $7,000,000 from $6,000,000 in the appropriation under s. 20.370(5)(dy).
Analyst	Caitlin Frederick
Team	AEJ

2017-19 Budget Errata Report

Title	Special Education Transition Readiness Grants
Agency	Public Instruction
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	N/A
Description of error	No language supporting Chapter 20 schedule appropriation.
Correction of Error	Create language for s. 20.255(2)(bg)

Analyst	Sara Hynek
Team	EWD

2017-19 Budget Errata Report

Title	Milwaukee Performance Funding - Aidable Students
Agency	Public Instruction
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Section 1620 of budget bill
Description of error	Budget bill is not specific as to which students enrolled in choice schools are aidable under new performance funding program (i.e., voucher vs. private pay students).
Correction of Error	Clarify that, for choice or charter schools eligible for performance funding that have private pay students in addition to voucher students, the students to be included in the calculation of performance funding are only those that ARE receiving a state voucher through a parental choice or charter school program.
Analyst	Sara Hynek
Team	EWD

2017-19 Budget Errata Report

Title	High Cost Transportation Aid
Agency	Public Instruction
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	s. 121.59
Description of error	DPI's budget request covers a "stop gap" measure; any school that received aid in the prior year, but lost eligibility because costs were no longer more than 150 percent of statewide average would get 50 percent of previous award for one year. This was not included in the budget bill.
Correction of Error	Permit any school district that receives aid in the prior fiscal year but loses eligibility in the current year based on pupil transportation costs to be eligible for aid at a rate of 50 percent of its previous year award for one year only. These payments would be limited to $200,000 in total for all districts in any year (and therefore may be subject to proration).
Analyst	Sara Hynek
Team	EWD

2017-19 Budget Errata Report

Title	Per Pupil Aid Calculation
Agency	Public Instruction
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Section 1482
Description of error	Base per pupil aid is calculated using revenue limit membership (resident pupils). As drafted, the calculation related to the increase in per pupil aid could be interpreted to include all pupils (such as open enrollment pupils), which would be a departure from current law.
Correction of Error	For purposes of calculation of each district's per pupil aid increase, and the allocation of per pupil aid within a district, refer to a three-year average membership for revenue limit purposes, not a three-year enrollment average.
Analyst	Sara Hynek
Team	EWD

2017-19 Budget Errata Report

Title	Early College Credit Tuition Cap
Agency	Public Instruction
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Section 1562
Description of error	The bill does not eliminate language that states UW institutions may charge the "actual cost" of tuition (it should have capped charges at 33 percent of the tuition cost at the institution offering the course). The cap was applied only to private nonprofit institutions in the bill.
Correction of Error	Modify Section 1562 to apply a cap of 33 percent of resident undergrad tuition applicable to a course offered by any UW or WTCS institution through Early College Credit. Eliminate current law Youth Options language around actual tuition charges.
Analyst	Sara Hynek
Team	EWD

2017-19 Budget Errata Report

Title	Prior Year Attendance - Choice Programs
Agency	Public Instruction
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Section 1581
Description of error	Section 1581 permits students who attended school out of state in the prior year to enter the statewide and Racine choice programs at any grade; no such language was created for the Milwaukee program.
Correction of Error	Create language parallel to section 1581 for Chapter 119's choice program.
Analyst	Sara Hynek
Team	EWD

2017-19 Budget Errata Report

Title	Charter School Teacher Background Checks
Agency	Public Instruction
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	s. 118.40
Description of error	In the absence of background checks conducted as part of teacher license renewal, the budget bill requires school districts and choice schools to conduct background checks on teachers every 5 years, but no similar language applies to charter schools.
Correction of Error	Create parallel language in s. 118.40 to require charter schools to conduct background checks on teachers every 5 years.
Analyst	Sara Hynek
Team	EWD

2017-19 Budget Errata Report

Title	Background Check Revenue Receipt
Agency	Public Instruction
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	s. 20.255(1)(hg)
Description of error	The budget bill permits school districts to contract with DPI to conduct the 5-year background checks for teachers. However, DPI's program revenue appropriation does not permit receipt and expenditure of any revenues/fees associated with these arrangements.
Correction of Error	Add a reference to s. 120.12(2r)(b) in the language of s. 20.255(1)(hg).
Analyst	Sara Hynek
Team	EWD

2017-19 Budget Errata Report

Title	Teacher and Administrator Background Checks
Agency	Public Instruction
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Section 1623
Description of error	The budget bill states that teacher and administrator background checks must be performed "with the assistance of" DOJ, whether conducted by the school district or DPI. The DOJ requirement applies to both public and choice schools. This provision is narrower than the Governor's intent.
Correction of Error	Permit all background checks to be performed with the assistance of DOJ or a local law enforcement agency.
Analyst	Sara Hynek
Team	EWD

2017-19 Budget Errata Report

Title	Funding for Lottery Product Information
Agency	Revenue
Fiscal Change to Bill	$3,000,000 SEG increase in FY18 and FY19
Position Change to Bill	None
Citation	
Description of error	Omitted the funding associated with the increase in the lottery product information item. This omission relates to the funding in Chapter 20. The correct amount is already included in the condition statement.
Correction of Error	Increase the lottery general program operations appropriation by $3,000,000 SEG in both FY18 and FY19. Corrected funding in s. 20.566(8)(q) should be $21,407,500 in FY18 and $21,375,300 in FY19. This fix is only needed in Chapter 20, the correct amount is already included in the condition statement.
Analyst	Robert Wimmer
Team	TLGED

2017-19 Budget Errata Report

Title	Individual Income Tax Rate Reduction Bracket Indexing
Agency	Revenue
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Sections 1031 through 1033
Description of error	The modifications to the indexing provisions incorrectly attach the indexing provisions for the other brackets to the top bracket, inadvertently creating a larger indexing factor than is desired for that bracket.
Correction of Error	Delete indexing modifications in the bill and retain current law indexing while referencing the new rates that correspond to each existing bracket.
Analyst	Brian Quinn
Team	TLGED

2017-19 Budget Errata Report

Title	Occasional Sale Exemption Threshold
Agency	Revenue
Fiscal Change to Bill	$84,900 GPR-Tax in FY18
Position Change to Bill	None
Citation	
Description of error	The occasional sale exemption threshold increase fiscal effect was calculated to decrease GPR-Tax by $169,900 -- which assumed the provision to be effective for the entire fiscal year. However, the intent (which is correctly specified in the statutory language) is an effective date of January 1, 2018, and therefore the decrease in GPR-Tax should be half of that amount.
Correction of Error	Adjust the GPR-Tax decrease from $169,900 to $85,000 in only FY18.
Analyst	Robert Wimmer
Team	TLGED

2017-19 Budget Errata Report

Title	Interest on WEDC Tax Credits
Agency	Revenue
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Section 9338, Page 976 Lines 18 Through 21; Section 1140
Description of error	This language creates an effective date that only first applies to tax credits that relate to tax years beginning with 2017. In order to match the intent, this effective date language should be stricken so that this provision first applies with the effective date of the bill. In addition, the Department of Revenue believes that the language in Section 1140 needs to be streamlined.
Correction of Error	Delete the existing effective date language and specify that this provision first takes effect regarding refunds issued on or after the effective date of the bill. Modify Section 1140 with the following changes: "71.77 (2n) Notwithstanding sub. (2), the department may make an assessment to recover all or a part of any tax credit ~~allocated~~ revoked by the Wisconsin Economic Development Corporation ~~if the corporation has revoked the allocation and provided notice of the revocation to the department~~ within one year of ~~providing~~ receiving notice of the revocation ~~to the taxpayer~~ from the Wisconsin Economic Development Corporation."
Analyst	Brian Quinn
Team	TLGED

2017-19 Budget Errata Report

Title	Manufacturing & Agriculture Credit and Taxes Paid to Other States Interaction
Agency	Revenue
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Page 528, Section 1042, Line 23.
Description of error	The language in this section states that the Manufacturing and Agriculture Credit must have the income on which it is calculated reduced by the amount of qualified production income that is taxed in another state that "may be claimed" under the Taxes Paid to Other States Credit. This should read "is claimed."
Correction of Error	Delete the words "may be" and change to "is".
Analyst	Brian Quinn
Team	TLGED

2017-19 Budget Errata Report

Title	Disregarded Entities
Agency	Revenue
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	ss. 180.0622(2), 183.0304(1)
Description of error	The provision as currently drafted is missing necessary language in chapters 180 and 183 to clarify that the owners of certain disregarded entities may be liable for tax-related assessments. Changes are necessary because chapters 180 and 183 currently provide liability protection for members of an LLC and shareholders of an "S" corporation.
Correction of Error	Modify the bill language as follows: 180.0622 Liability of shareholders, transferees and others. "180.0622(2) (2) Unless otherwise provided in the articles of incorporation, a shareholder of a corporation is not personally liable for the acts or debts of the corporation, except for a shareholder in a corporation defined under s. 71.365(7) and only to the extent provided for under s. 73.0300, and except that a shareholder may become personally liable by his or her acts or conduct other than as a shareholder." 183.0304 Liability of members to 3rd parties. "183.0304(1) (1) The debts, obligations and liabilities of a limited liability company, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the limited liability company. Except as provided in ss. 73.0300,183.0502 and 183.0608, a member or manager of a limited liability company is not personally liable for any debt, obligation or liability of the limited liability company, except that a member or manager may become personally liable by his or her acts or conduct other than as a member or manager."
Analyst	Robert Wimmer
Team	TLGED

2017-19 Budget Errata Report

Title	State Operations Adjustment
Agency	Revenue
Fiscal Change to Bill	$178,300 GPR in FY18 and FY19
Position Change to Bill	None
Citation	s. 20.566(1)(a) and (3)(a)
Description of error	Used wrong fringe rate in State Operations Adjustment for appropriations 101 and 301.
Correction of Error	101: Add $100,500 in both FY18 and FY19 to the fringe line. 301: Add $77,800 in both FY18 and FY19 to the fringe line. This will decrease DOR's State Operations Adjustment reduction by $178,300 in both FY18 and FY19.
Analyst	Robert Wimmer
Team	TLGED

2017-19 Budget Errata Report

Title	Apprenticeship License
Agency	Safety & Professional Services
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Section 1654
Description of error	Section 1654, line 9, includes the phrase, "or automatic fire sprinkler contractor." This phrase should not be included.
Correction of Error	Delete "or automatic fire sprinkler contractor" in Section 1654.
Analyst	Andrew Potts
Team	AEJ

2017-19 Budget Errata Report

Title	Secretary of State Ch 20 Lapse and GPR-E Estimates
Agency	Secretary of State
Fiscal Change to Bill	$7,400 revised GPR-Earned over 3-year period
Position Change to Bill	None
Citation	
Description of error	Modify GPR-E change of -$13,400 in FY17, $15,800 in FY18, and $5,000 in FY19.
Correction of Error	File maintenance to reflect new amounts.
Analyst	Alyssa LeRoy
Team	GGCF

2017-19 Budget Errata Report

Title	Loss Limits on Homestead and Earned Income Credits
Agency	Shared Revenue & Tax Relief
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Section 9338
Description of error	The effective date is listed as tax years beginning after December 31, 2017. This should be tax years beginning after December 31, 2016.
Correction of Error	Correct the language to state that the loss limits for EITC and Homestead are supposed to begin with tax years beginning after December 31, 2016.
Analyst	Brian Quinn
Team	TLGED

2017-19 Budget Errata Report

Title	EITC - Wisconsin Works for Everyone Technical Modifications
Agency	Shared Revenue & Tax Relief
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Sections 1045, 1046, 1047, 1048, 1049
Description of error	The attached document includes several technical corrections identified by the Department of Revenue. The first is that sections 1045, 1046, 1047, and 1049 contain outdated references to the Internal Revenue Code with respect to the earned income tax credit. In Section 1045, the Department of Revenue requests language to specify verification by the departments of Health Services and Children and Families for the Youth Employment Assistance Credit. Section 1048 contains a modest grammatical error that did not include "her" in the phrase "his or her filing status." This section should also explicitly state that the "greater than" refers to the sum of the individual credit that both spouses could have claimed if filing as single or the total that both spouses could claim filing jointly for the taxable years. See the attached documents for other small technical issues.
Correction of Error	See the attached document for modifications.

Analyst	Brian Quinn
Team	TLGED

DOR Recommendations for Modifications to EITC Budget Provisions

Sections 1045, 1046, 1047, and 1049: References to IRC section 32 (b) (1) (A) to (C) have been removed from the IRC. The reference should be changed to 32 (b) (1) only.

Section 1045: DOR must rely on verification from DCF and DHS to administer the Young Adult Employment Assistance Tax Credit. This verification and a deadline are needed in statute in order to administer this efficiently.

Change s. 71.07(8m)(a)4.a. to "The individual, as verified by the department of children and families, aged out of out-of-home care..."

Change s. 71.07(8m)(a)4.b. to "The individual, as verified by the department of health services, was previously designated as disabled..."

Add (bm) (or perhaps (d)): Annually after December 31, 2017, the department of children and families and the department of health services shall provide verification of eligibility under this section by January 15 to the department of revenue" or something similar.

Section 1048:

Grammatical error on Page 532, Line 15 - "claim the greater of either the credit calculated under par. (ak) based on his or her filing status"

This section should also explicitly state that the "greater than" refers to the sum of the individual credit that both spouses could have claimed if filing as single or the total that both spouses could claim filing jointly for the taxable years.

Section 1049:

Page 533, Line 4 : "1. The individual did not claim the credit under par. ~~(aj)~~ (ak) or (aL)."

Change s. 71.07(9e)(aq)6. "...payments described under subd. 5., and the department of children and families has provided verification to the department of revenue ~~has verified~~ that such payments have in fact been made by the claimant."

Add: 7. "Annually after December 31, 2017 the department of children and families shall provide verification of eligibility under this section by January 15 to the department of revenue" or something similar.

2017-19 Budget Errata Report

Title	VW Settlement
Agency	Shared Revenue & Tax Relief
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	s. 79.035(7)
Description of error	Clarify that once settlement funds are distributed to Milwaukee County, the shared revenue reduction for Milwaukee County is fixed at $1.95 million in each year from 2019 through 2027. Also clarify that Milwaukee County's county and municipal aid is reduced before the shared revenue utility aid payment is reduced.
Correction of Error	Modify the language as follows: "...under this section to a county receiving or which has received a distribution under s. 16.047 (4) by $1,950,000, except that if an any year the payment under this section is less than $1,950,000, the department shall also reduce the county's payments...."
Analyst	Robert Wimmer
Team	TLGED

2017-19 Budget Errata Report

Title	Judicial Compensation
Agency	Supreme Court
Fiscal Change to Bill	$334,000 GPR in FY19
Position Change to Bill	None
Citation	s. 20.680(2)(a)
Description of error	The general wage adjustment calculation assumed that 50 percent of positions are GPR funded; however, judges and justices are entirely GPR funded. Therefore, the amount set aside for the wage adjustment should be doubled from $334,000 to $668,000.
Correction of Error	Add $334,000 GPR to s. 20.680(2)(a) in FY19.
Analyst	Andrew Potts
Team	AEJ

2017-19 Budget Errata Report

Title	Tuition Cut
Agency	University of Wisconsin System
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	N/A
Description of error	Bill does not include any statutory or nonstatutory language requiring the UW Board of Regents to freeze tuition in FY18 or reduce tuition in FY19 by 5 percent.
Correction of Error	Add language to require the UW Board of Regents to freeze resident undergraduate tuition at FY17 rates for FY18, and reduce the tuition by 5 percent in FY19.
Analyst	Mickie Krall
Team	EWD

2017-19 Budget Errata Report

Title	Veteran Tuition and Fee Remission
Agency	University of Wisconsin System
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	ss. 36.27(3n)(a)1m.a. and b., 38.24(7)(a)1m.a. and b.
Description of error	Definition of eligible veteran includes references to the veteran attending school; for purposes of remission for spouse or children, this should not be included.
Correction of Error	Remove references to attendance or enrollment in school in definition of eligible veteran. Clarify that a veteran must have lived in WI for 5 years as an adult in order for spouses and children to qualify for remission. For disabled veterans, also add that the veteran must reside in this state when the spouse or child first enrolls.
Analyst	Mickie Krall
Team	EWD

2017-19 Budget Errata Report

Title	Payments to Veterans Service Organizations
Agency	Veterans Affairs
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	s. 45.41(4) and (5)
Description of error	The budget increases the grant amount for several veterans service organizations through increase in spending authority. However, the corresponding statutes [s. 45.41(4) and (5)] were not increased.
Correction of Error	Amend s. 45.41(4) to increase the grant to Disabled American Veterans by $80,000 to total $200,000. Amend s. 45.41(5) to increase the grant for Camp American Legion by $25,000 to total $75,000.
Analyst	Cynthia Dombrowski
Team	HSI

2017-19 Budget Errata Report

Title	Fabrication Laboratories Grants
Agency	Wisconsin Economic Development Corporation
Fiscal Change to Bill	None
Position Change to Bill	None
Citation	Section 9150 Lines 6-10
Description of error	By referencing the provisions under s. 238.145 and only disregarding the appropriation limits in s. 238.145, this inadvertently restricts the corporation to only awarding those districts that had been certified before June 30, 2017. This would serve to limit WEDC in potential future recipients. Also, by limiting the appropriation reference to only the GPR appropriation it is possible that WEDC would not be able to appropriate funds for the program due to that appropriation being heavily reduced from enhanced SEG revenues that year.
Correction of Error	Repeal the statutory references because they will no longer apply after FY17 and create nonstatutory language directing WEDC to implement a program substantially similar to the fabrication laboratories program in place in FY17 to be funded at $500,000 in each of FY18 and FY19 from either the corporation's GPR or SEG appropriation.
Analyst	Brian Quinn
Team	TLGED