



LRB-2291/34
MES&DAK:jld:ff
stays
[Signature]

2005 BILL

Regen

1 AN ACT to amend 20.566 (1) (hp); and to create 15.195 (3), 20.435 (5) (jm), 71.10
2 (5g) and 255.07 of the statutes; relating to: creating an individual income tax
3 checkoff for prostate cancer research, creating the Prostate Cancer Research
4 Board, creating the prostate cancer research program, and making
5 appropriations.

Analysis by the Legislative Reference Bureau

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program. Similar checkoffs exist to provide payments to a breast cancer research program and to provide a donation to a professional football stadium district. This bill creates a similar income tax checkoff for designations to fund prostate cancer research.

Under the bill, an individual who has an income tax liability, is due a refund, or is required to file a return may designate any amount of additional payment, or any amount of a refund due, to fund prostate cancer research on his or her income tax return. If an individual's designation exceeds the amount of his or her refund, he or she must include a check with his or her tax return for the difference between the amount of the designation and the amount of the refund. If an individual who makes a contribution has a tax liability or has no tax liability and is due no refund, he or she must include a check for the amount of the designation with his or her tax return.

BILL

The bill requires that an amount equal to the total amount of designations received, less the total cost of administering the income tax check-off procedure, be credited to an appropriation account under the Department of Health and Family Services (DHFS).

The bill creates a four-member Prostate Cancer Research Board (board) within DHFS. The board annually must solicit applications from prostate cancer researchers in Wisconsin and, under criteria developed by the board, select recipients for grants for the performance of prostate cancer research. Moneys from the designation to fund prostate cancer research are required to be awarded by an entity, the Wisconsin Prostate Cancer Research Fund (WPCRF), as grants to these recipients. Annually, WPCRF must report to the legislature and the governor on what research projects were conducted with the funds.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

The Department of Revenue

15,435 (2)

15,435 (2)

1 SECTION 1. ~~15.195 (3)~~ of the statutes is created to read:

2 ~~15.195 (3)~~ PROSTATE CANCER RESEARCH BOARD. There is created a prostate cancer

3 research board that is attached to the department of ~~health and family services~~

4 ~~revenue~~ under s. 15.03. The board shall consist of the following members:

5 (a) One member appointed by the majority leader of the assembly.

6 (b) One member appointed by the minority leader of the assembly.

7 (c) One member appointed by the majority leader of the senate.

8 (d) One member appointed by the minority leader of the senate.

9 SECTION 2. 20.435 (5) (jm) of the statutes is created to read:

10 20.435 (5) (jm) *Prostate cancer research*. As a continuing appropriation, from

11 the moneys received under s. 71.10 (5g) (i), the net amounts certified under s. 71.10

12 (5g) (h) 3., to provide prostate cancer research grants under s. 255.07 (3).

13 SECTION 3. 20.566 (1) (hp) of the statutes is amended to read:

BILL

1 20.566 (1) (hp) *Administration of endangered resources; professional football*
2 *district; breast cancer research; prostate cancer research voluntary payments.* The
3 amounts in the schedule for the payment of all administrative costs, including data
4 processing costs, incurred in administering ss. 71.10 (5), (5e), ~~and (5f)~~, and (5g) and
5 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5)
6 (h) 5., (5e) (h) 4., ~~and (5f) (i)~~, and (5g) (i) and 71.30 (10) (i) shall be credited to this
7 appropriation.

8 **SECTION 4.** 71.10 (5g) of the statutes is created to read:

9 71.10 (5g) PROSTATE CANCER RESEARCH CHECKOFF. (a) *Definitions.* In this
10 subsection:

11 1. “Department” means the department of revenue.

12 2. “Fund” means an entity known as the Wisconsin Prostate Cancer Research
13 Fund.

14 (b) *Voluntary payments.* 1. ‘Designation on return.’ Every individual filing an
15 income tax return who has a tax liability or is entitled to a tax refund may designate
16 on the return any amount of additional payment or any amount of a refund due that
17 individual for prostate cancer research.

18 2. ‘Designation added to tax owed.’ If the individual owes any tax, the
19 individual shall remit in full the tax due and the amount designated on the return
20 for prostate cancer research the individual files a tax return.

21 3. ‘Designation deducted from refund.’ Except as provided in par. (d), if the
22 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
23 (3) and (3m), the department shall deduct the amount designated on the return for
24 prostate cancer research from the amount of the refund.

BILL

1 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails
2 to remit an amount equal to or in excess of the total of the actual tax due, after error
3 corrections, and the amount designated on the return for prostate cancer research:

4 1. The department shall reduce the designation for prostate cancer research
5 to reflect the amount remitted in excess of the actual tax due, after error corrections,
6 if the individual remitted an amount in excess of the actual tax due, after error
7 corrections, but less than the total of the actual tax due, after error corrections, and
8 the amount originally designated on the return for prostate cancer research.

9 2. The designation for prostate cancer research is void if the individual
10 remitted an amount equal to or less than the actual tax due, after error corrections.

11 (d) *Errors; insufficient refund.* If an individual is owed a refund that does not
12 equal or exceed the amount designated on the return for prostate cancer research,
13 after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections,
14 the department shall reduce the designation for prostate cancer research to reflect
15 the actual amount of the refund that the individual is otherwise owed, after crediting
16 under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections.

17 (e) *Conditions.* If an individual places any conditions on a designation for
18 prostate cancer research, the designation is void.

19 (f) *Void designation.* If a designation for prostate cancer research is void, the
20 department shall disregard the designation and determine amounts due, owed,
21 refunded, and received without regard to the void designation.

22 (g) *Tax return.* The secretary of revenue shall provide a place for the
23 designations under this subsection on the individual income tax return.

BILL

1 (h) *Certification of amounts.* Annually, on or before September 15, the
2 secretary of revenue shall certify to the president of the fund, the department of
3 administration, and the state treasurer all of the following:

4 1. The total amount of the administrative costs, including data processing
5 costs, incurred by the department in administering this subsection during the
6 previous fiscal year.

7 2. The total amount received from all designations for prostate cancer research
8 made by taxpayers during the previous fiscal year.

9 3. The net amount remaining after the administrative costs, including data
10 processing costs, under subd. 1. are subtracted from the total received under subd.
11 2.

12 (i) *Appropriations, disbursement of funds to the fund.* From the moneys
13 received from designations for prostate cancer research, an amount equal to the sum
14 of administrative expenses, including data processing costs, certified under par. (h)
15 1. shall be deposited in the general fund and credited to the appropriation account
16 under s. 20.566 (1) (hp), and the net amount remaining that is certified under par.
17 (h) 3. shall be credited to the appropriation account under s. 20.435 (5) (jm), for the
18 use specified under s. 255.07 (3).

19 (j) *Amounts subject to refund.* Amounts designated for prostate cancer research
20 under this subsection are not subject to refund to the taxpayer unless the taxpayer
21 submits information to the satisfaction of the department, within 18 months after
22 the date on which the taxes are due or the date on which the return is filed, whichever
23 is later, that the amount designated is clearly in error. Any refund granted by the
24 department under this paragraph shall be deducted from the moneys received under
25 this subsection in the fiscal year for which the refund is certified.

Kennedy, Debora

From: Wilson, A.J.
Sent: Monday, July 18, 2005 4:00 PM
To: Kennedy, Debora
Subject: FW: LRB 2291/4 tax check off

Debora,

One final change, could we include that the Board must work in conjunction with the Fund to develop criteria for the applications.

Thank you very much,

AJ

From: Emery, Lynn
Sent: Tuesday, July 12, 2005 8:38 AM
To: Wilson, A.J.
Subject: RE: LRB 2291/4 tax check off

Here ya go!



05-2291/4

> -----Original Message-----

> **From:** Wilson, A.J.
> **Sent:** Friday, July 08, 2005 11:04 AM
> **To:** Emery, Lynn
> **Subject:** LRB 2291/4 tax check off

>

> Lynn,

>

> I received a paper copy but not an electronic copy of LRB
> 2291/4. Could you ship it over?

>

> Thanks, AJ

>



(SOON - In edit 7/18)

State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-2291/45
MES&DAK:jld:rs

↓
:kjf

2005 BILL

Regen

1 AN ACT *to amend* 20.566 (1) (hp); and *to create* 15.435 (2), 20.435 (5) (jm), 71.10
2 (5g) and 255.07 of the statutes; **relating to:** creating an individual income tax
3 checkoff for prostate cancer research, creating the Prostate Cancer Research
4 Board, creating the prostate cancer research program, and making
5 appropriations.

Analysis by the Legislative Reference Bureau

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program. Similar checkoffs exist to provide payments to a breast cancer research program and to provide a donation to a professional football stadium district. This bill creates a similar income tax checkoff for designations to fund prostate cancer research.

Under the bill, an individual who has an income tax liability, is due a refund, or is required to file a return may designate any amount of additional payment, or any amount of a refund due, to fund prostate cancer research on his or her income tax return. If an individual's designation exceeds the amount of his or her refund, he or she must include a check with his or her tax return for the difference between the amount of the designation and the amount of the refund. If an individual who makes a contribution has a tax liability or has no tax liability and is due no refund, he or she must include a check for the amount of the designation with his or her tax return.

BILL

The bill requires that an amount equal to the total amount of designations received, less the total cost of administering the income tax check-off procedure, credited to an appropriation account under the Department of Health and Family Services.

The bill creates a four-member Prostate Cancer Research Board (board) within the Department of Revenue. The board annually must solicit applications from prostate cancer researchers in Wisconsin and, ~~under criteria developed by the board,~~ select recipients for grants for the performance of prostate cancer research. Moneys from the designation to fund prostate cancer research are required to be awarded by ~~an entity, the Wisconsin Prostate Cancer Research Fund (WPCRF),~~ as grants to these recipients. Annually, WPCRF must report to the legislature and the governor on what research projects were conducted with the funds.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

INSERT
ANAL

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

1 **SECTION 1.** 15.435 (2) of the statutes is created to read:

2 15.435 (2) PROSTATE CANCER RESEARCH BOARD. There is created a prostate cancer
3 research board that is attached to the department of revenue under s. 15.03. The
4 board shall consist of the following members:

5 (a) One member appointed by the majority leader of the assembly.

6 (b) One member appointed by the minority leader of the assembly.

7 (c) One member appointed by the majority leader of the senate.

8 (d) One member appointed by the minority leader of the senate.

9 **SECTION 2.** 20.435 (5) (jm) of the statutes is created to read:

10 20.435 (5) (jm) *Prostate cancer research.* As a continuing appropriation, from
11 the moneys received under s. 71.10 (5g) (i), the net amounts certified under s. 71.10
12 (5g) (h) 3., to provide prostate cancer research grants under s. 255.07 (3).

13 **SECTION 3.** 20.566 (1) (hp) of the statutes is amended to read:

BILL

1 20.566 (1) (hp) *Administration of endangered resources; professional football*
2 *district; breast cancer research; prostate cancer research voluntary payments.* The
3 amounts in the schedule for the payment of all administrative costs, including data
4 processing costs, incurred in administering ss. 71.10 (5), (5e), ~~and (5f)~~, and (5g) and
5 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5)
6 (h) 5., (5e) (h) 4., ~~and (5f) (i)~~, and (5g) (i) and 71.30 (10) (i) shall be credited to this
7 appropriation.

8 **SECTION 4.** 71.10 (5g) of the statutes is created to read:

9 71.10 (5g) **PROSTATE CANCER RESEARCH CHECKOFF.** (a) *Definitions.* In this
10 subsection:

11 1. “Department” means the department of revenue.

12 2. “Fund” means an entity known as the Wisconsin Prostate Cancer Research
13 Fund.

14 (b) *Voluntary payments.* 1. ‘Designation on return.’ Every individual filing an
15 income tax return who has a tax liability or is entitled to a tax refund may designate
16 on the return any amount of additional payment or any amount of a refund due that
17 individual for prostate cancer research.

18 2. ‘Designation added to tax owed.’ If the individual owes any tax, the
19 individual shall remit in full the tax due and the amount designated on the return
20 for prostate cancer research the individual files a tax return.

21 3. ‘Designation deducted from refund.’ Except as provided in par. (d), if the
22 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
23 (3) and (3m), the department shall deduct the amount designated on the return for
24 prostate cancer research from the amount of the refund.

BILL**SECTION 4**

1 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails
2 to remit an amount equal to or in excess of the total of the actual tax due, after error
3 corrections, and the amount designated on the return for prostate cancer research:

4 1. The department shall reduce the designation for prostate cancer research
5 to reflect the amount remitted in excess of the actual tax due, after error corrections,
6 if the individual remitted an amount in excess of the actual tax due, after error
7 corrections, but less than the total of the actual tax due, after error corrections, and
8 the amount originally designated on the return for prostate cancer research.

9 2. The designation for prostate cancer research is void if the individual
10 remitted an amount equal to or less than the actual tax due, after error corrections.

11 (d) *Errors; insufficient refund.* If an individual is owed a refund that does not
12 equal or exceed the amount designated on the return for prostate cancer research,
13 after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections,
14 the department shall reduce the designation for prostate cancer research to reflect
15 the actual amount of the refund that the individual is otherwise owed, after crediting
16 under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections.

17 (e) *Conditions.* If an individual places any conditions on a designation for
18 prostate cancer research, the designation is void.

19 (f) *Void designation.* If a designation for prostate cancer research is void, the
20 department shall disregard the designation and determine amounts due, owed,
21 refunded, and received without regard to the void designation.

22 (g) *Tax return.* The secretary of revenue shall provide a place for the
23 designations under this subsection on the individual income tax return.

BILL

1 (h) *Certification of amounts.* Annually, on or before September 15, the
2 secretary of revenue shall certify to the president of the fund, the department of
3 administration, and the state treasurer all of the following:

4 1. The total amount of the administrative costs, including data processing
5 costs, incurred by the department in administering this subsection during the
6 previous fiscal year.

7 2. The total amount received from all designations for prostate cancer research
8 made by taxpayers during the previous fiscal year.

9 3. The net amount remaining after the administrative costs, including data
10 processing costs, under subd. 1. are subtracted from the total received under subd.
11 2.

12 (i) *Appropriations, disbursement of funds to the fund.* From the moneys
13 received from designations for prostate cancer research, an amount equal to the sum
14 of administrative expenses, including data processing costs, certified under par. (h)
15 1. shall be deposited in the general fund and credited to the appropriation account
16 under s. 20.566 (1) (hp), and the net amount remaining that is certified under par.
17 (h) 3. shall be credited to the appropriation account under s. 20.435 (5) (jm), for the
18 use specified under s. 255.07 (3).

19 (j) *Amounts subject to refund.* Amounts designated for prostate cancer research
20 under this subsection are not subject to refund to the taxpayer unless the taxpayer
21 submits information to the satisfaction of the department, within 18 months after
22 the date on which the taxes are due or the date on which the return is filed, whichever
23 is later, that the amount designated is clearly in error. Any refund granted by the
24 department under this paragraph shall be deducted from the moneys received under
25 this subsection in the fiscal year for which the refund is certified.

BILL**SECTION 4**

1 (k) *Report to legislature, governor.* Not later than the first day of the 12th month
2 beginning after the effective date of this paragraph [revisor inserts date], and
3 annually thereafter, the fund shall prepare a report detailing the prostate cancer
4 research projects on which the money was spent. The report shall be distributed to
5 the appropriate standing committees of the legislature in the manner provided
6 under s. 13.172 (3) and to the governor.

7 **SECTION 5.** 255.07 of the statutes is created to read:

8 **255.07 Prostate cancer research program.** (1) **DEFINITIONS.** In this
9 section:

10 (a) “Board” means the prostate cancer research board.

11 (b) “Fund” has the meaning given in s. 71.10 (5g) (a) 2.

12 (2) **BOARD; DUTIES.** Annually, the board shall solicit applications from prostate
13 cancer researchers located in this state and, under criteria developed by the board,
14 select from the applicants recipients for grants for the performance of prostate cancer
15 research. The board shall promptly inform the fund of the grant recipient selections
16 that the board has made.

17 (3) **FUND; AWARD OF GRANTS.** From the appropriation account under s. 20.435 (5)
18 (jm), the fund shall award grants for the performance of prostate cancer research to
19 recipients selected by the board under sub. (2).

20 **SECTION 6. Initial applicability.**

21 (1) This act first applies to taxable years beginning on January 1 of the year
22 in which this subsection takes effect, except that if this subsection takes effect after
23 July 31 this act first applies to taxable years beginning on January 1 of the year
24 following the year in which this subsection takes effect.

25 (END)

after consulting
with the fund

(INSERT ANAL)

not

Criteria for the selection of the recipients after

grant

must be developed by the board after consulting with an

with an entity, the Wisconsin Prostate

Cancer Research Fund (WPCRF).



Kennedy, Debora

From: Wilson, A.J.
Sent: Thursday, February 16, 2006 12:56 PM
To: Shovers, Marc; Kennedy, Debora
Cc: Rodriguez, Charlene
Subject: LRB 2291: authorization

Please give Rep. Ward's office access to the file on LRB 2291. I believe Char will have some questions for you.

Thanks very much,

AJ

A.J. Wilson
Office of Assembly Democratic Leader Jim Kreuser
201 West - State Capitol
Madison, WI
608-266-5504

2/17 From Char: (6-3791)

Bd shd be in DHS, as well as appropriation

2/17 From AJ: ok



(SOON) - In edit 2/17
State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-2291/56
MES&DAK:jld&kj:rs

2005 BILL

REGENERATE

1 AN ACT to amend 20.566 (1) (hp); and to create 15.435 (2), 20.435 (5) (jm), 71.10
2 (5h) and 255.07 of the statutes; relating to: creating an individual income tax
3 checkoff for prostate cancer research, creating the Prostate Cancer Research
4 Board, creating the prostate cancer research program, and making
5 appropriations.

Analysis by the Legislative Reference Bureau

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program. Similar checkoffs exist to provide payments to a breast cancer research program and to provide a donation to a professional football stadium district. This bill creates a similar income tax checkoff for designations to fund prostate cancer research.

Under the bill, an individual who has an income tax liability, is due a refund, or is required to file a return may designate any amount of additional payment, or any amount of a refund due, to fund prostate cancer research on his or her income tax return. If an individual's designation exceeds the amount of his or her refund, he or she must include a check with his or her tax return for the difference between the amount of the designation and the amount of the refund. If an individual who makes a contribution has a tax liability or has no tax liability and is due no refund, he or she must include a check for the amount of the designation with his or her tax return.

BILL

Health and Family Services

The bill requires that an amount equal to the total amount of designations received, less the total cost of administering the income tax check-off procedure, credited to an appropriation account under the Department of Health and Family Services.

The bill creates a four-member Prostate Cancer Research Board (board) within the Department of Revenue. The board annually must solicit applications from prostate cancer researchers in Wisconsin and select recipients for grants for the performance of prostate cancer research. Criteria for the selection of the grant recipients must be developed by the board after consulting with an entity, the Wisconsin Prostate Cancer Research Fund (WPCRF). Moneys from the designation to fund prostate cancer research are required to be awarded by WPCRF as grants to these recipients. Annually, WPCRF must report to the legislature and the governor on what research projects were conducted with the funds.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

15.195 (7) (B)

15.195 (7)

health and family services

1 SECTION 1. ~~15.435 (2)~~ of the statutes is created to read:
2 ~~15.435 (2)~~ PROSTATE CANCER RESEARCH BOARD. There is created a prostate cancer
3 research board that is attached to the department of ~~revenue~~ under s. 15.03. The
4 board shall consist of the following members:

- 5 (a) One member appointed by the majority leader of the assembly.
- 6 (b) One member appointed by the minority leader of the assembly.
- 7 (c) One member appointed by the majority leader of the senate.
- 8 (d) One member appointed by the minority leader of the senate.

9 SECTION 2. 20.435 (5) (jm) of the statutes is created to read:

10 20.435 (5) (jm) *Prostate cancer research*. As a continuing appropriation, from
11 the moneys received under s. 71.10 (5h) (i), the net amounts certified under s. 71.10
12 (5h) (h) 3., to provide prostate cancer research grants under s. 255.07 (3).

13 SECTION 3. 20.566 (1) (hp) of the statutes is amended to read:

INSERT 2-13

as affected by 2005 Wisconsin Acts 25 and 71,

BILL

1 20.566 (1) (hp) *Administration of endangered resources; professional football*
2 *district; breast cancer research; prostate cancer research voluntary payments.* The
3 amounts in the schedule for the payment of all administrative costs, including data
4 processing costs, incurred in administering ss. 71.10 (5), (5e), ~~and (5f), and (5h)~~ and
5 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5)
6 (h) 5., (5e) (h) 4., ~~and (5f) (i), and (5h) (i)~~ and 71.30 (10) (i) shall be credited to this
7 appropriation.

8 **SECTION 4.** 71.10 (5h) of the statutes is created to read:

9 71.10 (5h) PROSTATE CANCER RESEARCH CHECKOFF. (a) *Definitions.* In this
10 subsection:

11 1. "Department" means the department of revenue.

12 2. "Fund" means an entity known as the Wisconsin Prostate Cancer Research
13 Fund.

14 (b) *Voluntary payments.* 1. 'Designation on return.' Every individual filing an
15 income tax return who has a tax liability or is entitled to a tax refund may designate
16 on the return any amount of additional payment or any amount of a refund due that
17 individual for prostate cancer research.

18 2. 'Designation added to tax owed.' If the individual owes any tax, the
19 individual shall remit in full the tax due and the amount designated on the return
20 for prostate cancer research the individual files a tax return.

21 3. 'Designation deducted from refund.' Except as provided in par. (d), if the
22 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
23 (3) and (3m), the department shall deduct the amount designated on the return for
24 prostate cancer research from the amount of the refund.

BILL**SECTION 4**

1 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails
2 to remit an amount equal to or in excess of the total of the actual tax due, after error
3 corrections, and the amount designated on the return for prostate cancer research:

4 1. The department shall reduce the designation for prostate cancer research
5 to reflect the amount remitted in excess of the actual tax due, after error corrections,
6 if the individual remitted an amount in excess of the actual tax due, after error
7 corrections, but less than the total of the actual tax due, after error corrections, and
8 the amount originally designated on the return for prostate cancer research.

9 2. The designation for prostate cancer research is void if the individual
10 remitted an amount equal to or less than the actual tax due, after error corrections.

11 (d) *Errors; insufficient refund.* If an individual is owed a refund that does not
12 equal or exceed the amount designated on the return for prostate cancer research,
13 after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections,
14 the department shall reduce the designation for prostate cancer research to reflect
15 the actual amount of the refund that the individual is otherwise owed, after crediting
16 under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections.

17 (e) *Conditions.* If an individual places any conditions on a designation for
18 prostate cancer research, the designation is void.

19 (f) *Void designation.* If a designation for prostate cancer research is void, the
20 department shall disregard the designation and determine amounts due, owed,
21 refunded, and received without regard to the void designation.

22 (g) *Tax return.* The secretary of revenue shall provide a place for the
23 designations under this subsection on the individual income tax return.

BILL

1 (h) *Certification of amounts.* Annually, on or before September 15, the
2 secretary of revenue shall certify to the president of the fund, the department of
3 administration, and the state treasurer all of the following:

4 1. The total amount of the administrative costs, including data processing
5 costs, incurred by the department in administering this subsection during the
6 previous fiscal year.

7 2. The total amount received from all designations for prostate cancer research
8 made by taxpayers during the previous fiscal year.

9 3. The net amount remaining after the administrative costs, including data
10 processing costs, under subd. 1. are subtracted from the total received under subd.

11 2.

12 (i) *Appropriations, disbursement of funds to the fund.* From the moneys
13 received from designations for prostate cancer research, an amount equal to the sum
14 of administrative expenses, including data processing costs, certified under par. (h)
15 1. shall be deposited in the general fund and credited to the appropriation account
16 under s. 20.566 (1) (hp), and the net amount remaining that is certified under par.
17 (h) 3. shall be credited to the appropriation account under s. 20.435 (5) (jm), for the
18 use specified under s. 255.07 (3).

19 (j) *Amounts subject to refund.* Amounts designated for prostate cancer research
20 under this subsection are not subject to refund to the taxpayer unless the taxpayer
21 submits information to the satisfaction of the department, within 18 months after
22 the date on which the taxes are due or the date on which the return is filed, whichever
23 is later, that the amount designated is clearly in error. Any refund granted by the
24 department under this paragraph shall be deducted from the moneys received under
25 this subsection in the fiscal year for which the refund is certified.

BILL**SECTION 4**

1 (k) *Report to legislature, governor.* Not later than the first day of the 12th month
2 beginning after the effective date of this paragraph [revisor inserts date], and
3 annually thereafter, the fund shall prepare a report detailing the prostate cancer
4 research projects on which the money was spent. The report shall be distributed to
5 the appropriate standing committees of the legislature in the manner provided
6 under s. 13.172 (3) and to the governor.

7 **SECTION 5.** 255.07^X of the statutes is created to read:

8 **255.07 Prostate cancer research program. (1) DEFINITIONS.** In this
9 section:

10 (a) “Board” means the prostate cancer research board.

11 (b) “Fund” has the meaning given in s. 71.10 (5h) (a) 2.

12 **(2) BOARD; DUTIES.** Annually, the board shall solicit applications from prostate
13 cancer researchers located in this state and, under criteria developed by the board
14 after consulting with the fund, select from the applicants recipients for grants for the
15 performance of prostate cancer research. The board shall promptly inform the fund
16 of the grant recipient selections that the board has made.

17 **(3) FUND; AWARD OF GRANTS.** From the appropriation account under s. 20.435 (5)
18 (jm), the fund shall award grants for the performance of prostate cancer research to
19 recipients selected by the board under sub. (2).

20 **SECTION 6. Initial applicability.**

21 (1) This act first applies to taxable years beginning on January 1 of the year
22 in which this subsection takes effect, except that if this subsection takes effect after
23 July 31 this act first applies to taxable years beginning on January 1 of the year
24 following the year in which this subsection takes effect. ✓

25 (END)

INSERT 2-13

20.566(1)(hp) ^(B)

(5h)2

I → ; prostate cancer research

(hp) Administration of endangered resources; professional football district; breast cancer research; veterans trust fund; multiple sclerosis programs/voluntary payments. The amounts in the schedule for the payment of all administrative costs, including data processing costs, incurred in administering ss. 71.10 (5), (5e), (5f), ~~and (5g), and (5m),~~ and 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5) (h) 5., (5e) (h) 4., (5f) (i) ~~and (5g) (i), and (5m) (i),~~ and 71.30 (10) (i) and (11) (i) shall be credited to this appropriation.

↑ strike (5h)(i)2

20.566 - ANNOT.

NOTE: Par. (hp) is shown as affected by 2 acts of the 2005 Wisconsin legislature and as merged by the revisor under s. 13.93 (2) (c). The bracketed language indicates a missing cross-reference. Corrective legislation is pending.

(end ins 2-13)



(NOW)
State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-2291/8 7
MES&DAK:jld&kjf
Stays

2005 BILL

Only change
p. 2

Regen

1 AN ACT to amend 20.566 (1) (hp); and to create 15.195 (7), 20.435 (5) (jm), 71.10
2 (5h) and 255.07 of the statutes; relating to: creating an individual income tax
3 checkoff for prostate cancer research, creating the Prostate Cancer Research
4 Board, creating the prostate cancer research program, and making
5 appropriations.

Analysis by the Legislative Reference Bureau

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program. Similar checkoffs exist to provide payments to a breast cancer research program and to provide a donation to a professional football stadium district. This bill creates a similar income tax checkoff for designations to fund prostate cancer research.

Under the bill, an individual who has an income tax liability, is due a refund, or is required to file a return may designate any amount of additional payment, or any amount of a refund due, to fund prostate cancer research on his or her income tax return. If an individual's designation exceeds the amount of his or her refund, he or she must include a check with his or her tax return for the difference between the amount of the designation and the amount of the refund. If an individual who makes a contribution has a tax liability or has no tax liability and is due no refund, he or she must include a check for the amount of the designation with his or her tax return.

BILL

be → The bill requires that an amount equal to the total amount of designations received, less the total cost of administering the income tax check-off procedure, credited to an appropriation account under the Department of Health and Family Services.

The bill creates a four-member Prostate Cancer Research Board (board) within the Department of Health and Family Services. The board annually must solicit applications from prostate cancer researchers in Wisconsin and select recipients for grants for the performance of prostate cancer research. Criteria for the selection of the grant recipients must be developed by the board after consulting with an entity, the Wisconsin Prostate Cancer Research Fund (WPCRF). Moneys from the designation to fund prostate cancer research are required to be awarded by WPCRF as grants to these recipients. Annually, WPCRF must report to the legislature and the governor on what research projects were conducted with the funds.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 15.195 (7) of the statutes is created to read:

2 15.195 (7) PROSTATE CANCER RESEARCH BOARD. There is created a prostate cancer
3 research board that is attached to the department of health and family services
4 under s. 15.03. The board shall consist of the following members:

5 (a) One member appointed by the majority leader of the assembly.

6 (b) One member appointed by the minority leader of the assembly.

7 (c) One member appointed by the majority leader of the senate.

8 (d) One member appointed by the minority leader of the senate.

9 **SECTION 2.** 20.435 (5) (jm) of the statutes is created to read:

10 20.435 (5) (jm) *Prostate cancer research.* As a continuing appropriation, from
11 the moneys received under s. 71.10 (5h) (i), the net amounts certified under s. 71.10
12 (5h) (h) 3., to provide prostate cancer research grants under s. 255.07 (3).

13 **SECTION 3.** 20.566 (1) (hp) of the statutes, as affected by 2005 Wisconsin Acts
14 25 and 71, is amended to read:

BILL

1 20.566 (1) (hp) *Administration of endangered resources; professional football*
2 *district; breast cancer research; veterans trust fund; multiple sclerosis programs;*
3 *prostate cancer research voluntary payments.* The amounts in the schedule for the
4 payment of all administrative costs, including data processing costs, incurred in
5 administering ss. 71.10 (5), (5e), (5f), and (5g), (5h), and (5m), and 71.30 (10). All
6 moneys specified for deposit in this appropriation under ss. 71.10 (5) (h) 5., (5e) (h)
7 4., (5f) (i) and, (5g) (i), (5h) (i), and (5m) (i), and 71.30 (10) (i) and (11) (i) shall be
8 credited to this appropriation.

9 **SECTION 4.** 71.10 (5h) of the statutes is created to read:

10 **71.10 (5h) PROSTATE CANCER RESEARCH CHECKOFF.** (a) *Definitions.* In this
11 subsection:

12 1. “Department” means the department of revenue.

13 2. “Fund” means an entity known as the Wisconsin Prostate Cancer Research
14 Fund.

15 (b) *Voluntary payments.* 1. ‘Designation on return.’ Every individual filing an
16 income tax return who has a tax liability or is entitled to a tax refund may designate
17 on the return any amount of additional payment or any amount of a refund due that
18 individual for prostate cancer research.

19 2. ‘Designation added to tax owed.’ If the individual owes any tax, the
20 individual shall remit in full the tax due and the amount designated on the return
21 for prostate cancer research the individual files a tax return.

22 3. ‘Designation deducted from refund.’ Except as provided in par. (d), if the
23 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
24 (3) and (3m), the department shall deduct the amount designated on the return for
25 prostate cancer research from the amount of the refund.

BILL**SECTION 4**

1 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails
2 to remit an amount equal to or in excess of the total of the actual tax due, after error
3 corrections, and the amount designated on the return for prostate cancer research:

4 1. The department shall reduce the designation for prostate cancer research
5 to reflect the amount remitted in excess of the actual tax due, after error corrections,
6 if the individual remitted an amount in excess of the actual tax due, after error
7 corrections, but less than the total of the actual tax due, after error corrections, and
8 the amount originally designated on the return for prostate cancer research.

9 2. The designation for prostate cancer research is void if the individual
10 remitted an amount equal to or less than the actual tax due, after error corrections.

11 (d) *Errors; insufficient refund.* If an individual is owed a refund that does not
12 equal or exceed the amount designated on the return for prostate cancer research,
13 after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections,
14 the department shall reduce the designation for prostate cancer research to reflect
15 the actual amount of the refund that the individual is otherwise owed, after crediting
16 under ss. 71.75 (9) and 71.80 (3) and (3m) and after error corrections.

17 (e) *Conditions.* If an individual places any conditions on a designation for
18 prostate cancer research, the designation is void.

19 (f) *Void designation.* If a designation for prostate cancer research is void, the
20 department shall disregard the designation and determine amounts due, owed,
21 refunded, and received without regard to the void designation.

22 (g) *Tax return.* The secretary of revenue shall provide a place for the
23 designations under this subsection on the individual income tax return.

BILL

1 (h) *Certification of amounts.* Annually, on or before September 15, the
2 secretary of revenue shall certify to the president of the fund, the department of
3 administration, and the state treasurer all of the following:

4 1. The total amount of the administrative costs, including data processing
5 costs, incurred by the department in administering this subsection during the
6 previous fiscal year.

7 2. The total amount received from all designations for prostate cancer research
8 made by taxpayers during the previous fiscal year.

9 3. The net amount remaining after the administrative costs, including data
10 processing costs, under subd. 1. are subtracted from the total received under subd.

11 2.

12 (i) *Appropriations, disbursement of funds to the fund.* From the moneys
13 received from designations for prostate cancer research, an amount equal to the sum
14 of administrative expenses, including data processing costs, certified under par. (h)
15 1. shall be deposited in the general fund and credited to the appropriation account
16 under s. 20.566 (1) (hp), and the net amount remaining that is certified under par.
17 (h) 3. shall be credited to the appropriation account under s. 20.435 (5) (jm), for the
18 use specified under s. 255.07 (3).

19 (j) *Amounts subject to refund.* Amounts designated for prostate cancer research
20 under this subsection are not subject to refund to the taxpayer unless the taxpayer
21 submits information to the satisfaction of the department, within 18 months after
22 the date on which the taxes are due or the date on which the return is filed, whichever
23 is later, that the amount designated is clearly in error. Any refund granted by the
24 department under this paragraph shall be deducted from the moneys received under
25 this subsection in the fiscal year for which the refund is certified.

Shovers, Marc

From: Wilson, A.J.
Sent: Thursday, February 16, 2006 12:56 PM
To: Shovers, Marc; Kennedy, Debora
Cc: Rodriguez, Charlene
Subject: LRB 2291: authorization

Please give Rep. Ward's office access to the file on LRB 2291. I believe Char will have some questions for you.

Thanks very much,

AJ

A.J. Wilson
Office of Assembly Democratic Leader Jim Kreuser
201 West - State Capitol
Madison, WI
608-266-5504

Northrop, Lori

From: Wilson, A.J.

Sent: Friday, February 17, 2006 2:07 PM

To: LRB.Legal

Subject: Draft Review: LRB 05-2291/7 Topic: Individual income tax checkoff for prostate cancer research

Please Jacket LRB 05-2291/7 for the ASSEMBLY.

Shovers, Marc

From: Van Ess, Thomas
Sent: Wednesday, February 22, 2006 12:42 PM
To: Kennedy, Debora; Shovers, Marc
Subject: Prostate Bill

Could I request a Senate Companion to Rep. Ward's Prostate Cancer tax check off bill? Thanks, Tom Van Ess

From: Rodriguez, Charlene
Sent: Monday, February 20, 2006 3:18 PM
To: Van Ess, Thomas
Cc: 'styre@charterinternet.com'
Subject: FW: Yo

Thanks, Tom!

Again, Plale's office ok'd the co-sponsorship.

Our drafters are Marc Shovers and Deb Kennedy.

Best,

Char

From: Rodriguez, Charlene
Sent: Monday, February 20, 2006 3:15 PM
To: Wilson, A.J.
Cc: 'styre@charterinternet.com'
Subject: Yo

Hey,

Just wanted to let you know I'm leaving for vacation (out of the country) from now until March 1st. Did you/Can you give the drafter permission to send the draft over to our office so we can get it jacketed for the Assembly?

I'll be checking my personal e-mail daily, so if you need anything, please e-mail me at cro5@aol.com I'll also be available tomorrow by cell until 5 p.m. (after that I'm out of the States). You can reach me until then at 608-213-5005.

Thanks!

Char



2005 ASSEMBLY BILL 1087

changed

03-29-06

March 2, 2006 - Introduced by Representatives WARD, KREUSER, TRAVIS, MUSSER, FIELDS, JESKEWITZ, RICHARDS, GUNDERSON, SHILLING, HAHN, BERCEAU, AINSWORTH, NELSON, VOS, SHERIDAN, OTT, SEIDEL, MCCORMICK, LEHMAN, WOOD, TURNER, MURSAU, COLON and GRIGSBY, cosponsored by Senators ROESSLER, LASSA and ROBSON. Referred to Joint Committee on Finance.

- 1 **AN ACT to amend** 20.566 (1) (hp); and **to create** 15.195 (7), 20.435 (5) (jm), 71.10
2 (5h) and 255.07 of the statutes; **relating to:** creating an individual income tax
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REVISION REPORT

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Under Assembly Rule 17d,
Thursday, March 02, 2006 at 6:27 PM
is considered the official date and time of introduction for the proposals listed in this document.

ASSEMBLY BILL 1087 (LRB -2291)

Relating to: creating an individual income tax checkoff for prostate cancer research, creating the Prostate Cancer Research Board, creating the prostate cancer research program, and making appropriations.

By Representatives Ward, Kreuser, Travis, Musser, Fields, Jeskewitz, Richards, Gunderson, Shilling, Hahn, Berceau, Ainsworth, Nelson, Vos, Sheridan, Ott, Seidel, McCormick, Lehman, Wood, Turner, Mursau, Colon and Grigsby; cosponsored by Senators A. Lasee, Plale, Roessler, Lassa, Robson, Erpenbach, S. Fitzgerald and Darling.

Referred to Joint committee on **FINANCE**.

" corrected "
03-29-2006
per Julie in Acc office
↳ Senate Cosponsors changed

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

LRB-2291/7
MES & DAK

CCC
to
AB ~~1087~~

④ #. Page 3, line 21: after "research"
insert "when".

④ NOTE: Supplies missing conjunction.
(end)

gjs





State of Wisconsin
2005-2006 LEGISLATURE

CORRECTIONS IN:

2005 ASSEMBLY BILL 1087

Prepared by the Legislative Reference Bureau
(March 24, 2006)

1. Page 3, line 21: after "research" insert "when".

NOTE: Supplies missing conjunction.

(END)