



1997 SENATE BILL 117

March 13, 1997 - Introduced by Senators MOEN, SCHULTZ, RUDE, BRESKE, CHVALA, CLAUSING, WELCH, WINEKE, FITZGERALD, DECKER, GROBSCHMIDT and PLACHE, cosponsored by Representatives MUSSER, JOHNSRUD, F. LASEE, HASENOHRL, LORGE, ALBERS, HAHN, BOYLE, LA FAVE, KAUFERT, KREUSER, LADWIG, PLALE, LAZICH, GRONEMUS, GUNDERSON, RYBA, NASS and SCHNEIDER. Referred to Committee on Health, Human Services, Aging, Corrections, Veterans and Military Affairs.

1 **AN ACT to create** 71.85 (4) of the statutes; **relating to:** interest and penalty
2 waivers for certain payments made to national guard technicians.

Analysis by the Legislative Reference Bureau

Under this bill, national guard technicians who worked as technicians for the Wisconsin national guard and were later recognized as federal employees under the national guard technician act of 1968 are not liable for any interest or penalties on any outstanding tax liabilities owed on certain payments received from the U.S. civil service retirement system, and may claim a refund for any interest or penalty payments that were made before the effective date of the bill if the claim is filed within 9 years after the unextended date on which the tax return was due.

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:

3 **SECTION 1.** 71.85 (4) of the statutes is created to read:
4 71.85 (4) ABATEMENT OF INTEREST AND PENALTIES; NATIONAL GUARD TECHNICIANS.
5 No penalty or interest that has been imposed under this subchapter for taxable years
6 beginning after December 31, 1988, and before January 1, 1998, on a taxpayer who

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1 was an employe of the Wisconsin national guard, who worked as a technician and
2 who was recognized as a federal employe under P.L. 90-486, to the extent that the
3 penalty or interest or both relate to payments received from the U.S. civil service
4 retirement system by such a person, is due and may not be collected or imposed by
5 the department of revenue on or after the effective date of this subsection [revisor
6 inserts date]. A person to whom this subsection applies, who has paid interest or
7 penalties or both on payments that are described under this subsection before the
8 effective date of this subsection [revisor inserts date], is eligible to claim a refund
9 for the payment that he or she has made if the claim is filed within 9 years after the
10 unextended date on which the tax return was due.

11

(END)