

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB275)

Received: **06/01/1999**

Received By: **shoveme**

Wanted: **As time permits**

Identical to LRB:

For: **Frank Lasee (608) 266-9870**

By/Representing: **Mark Wadium**

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

Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Tax - individual income
Tax - miscellaneous
Tax - corp. inc. and fran.**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Web site, DOR list of delinquent taxpayers

Instructions:

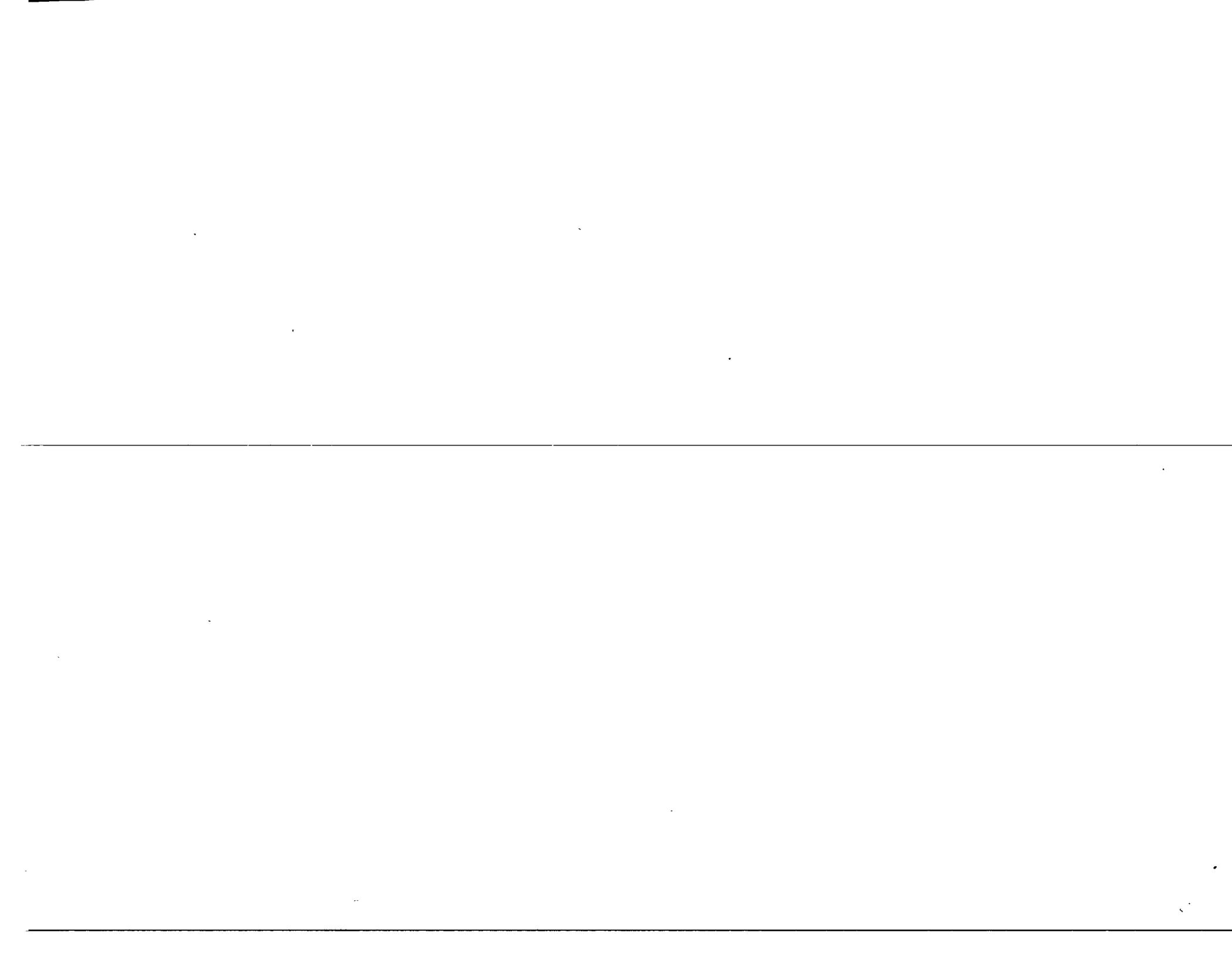
See Attached. Check out possible cross-references provided by DOR and see if any of them need to be amended.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	shoveme 06/05/1999	jgeller 06/07/1999	ismith 06/08/1999	_____	lrb_docadmin 06/08/1999	lrb_docadmin 06/08/1999	
/2	shoveme 07/27/1999	jgeller 07/27/1999	kfollet 07/27/1999	_____	lrb_docadmin 07/27/1999	lrb_docadmin 07/27/1999	

FE Sent For:

<END>



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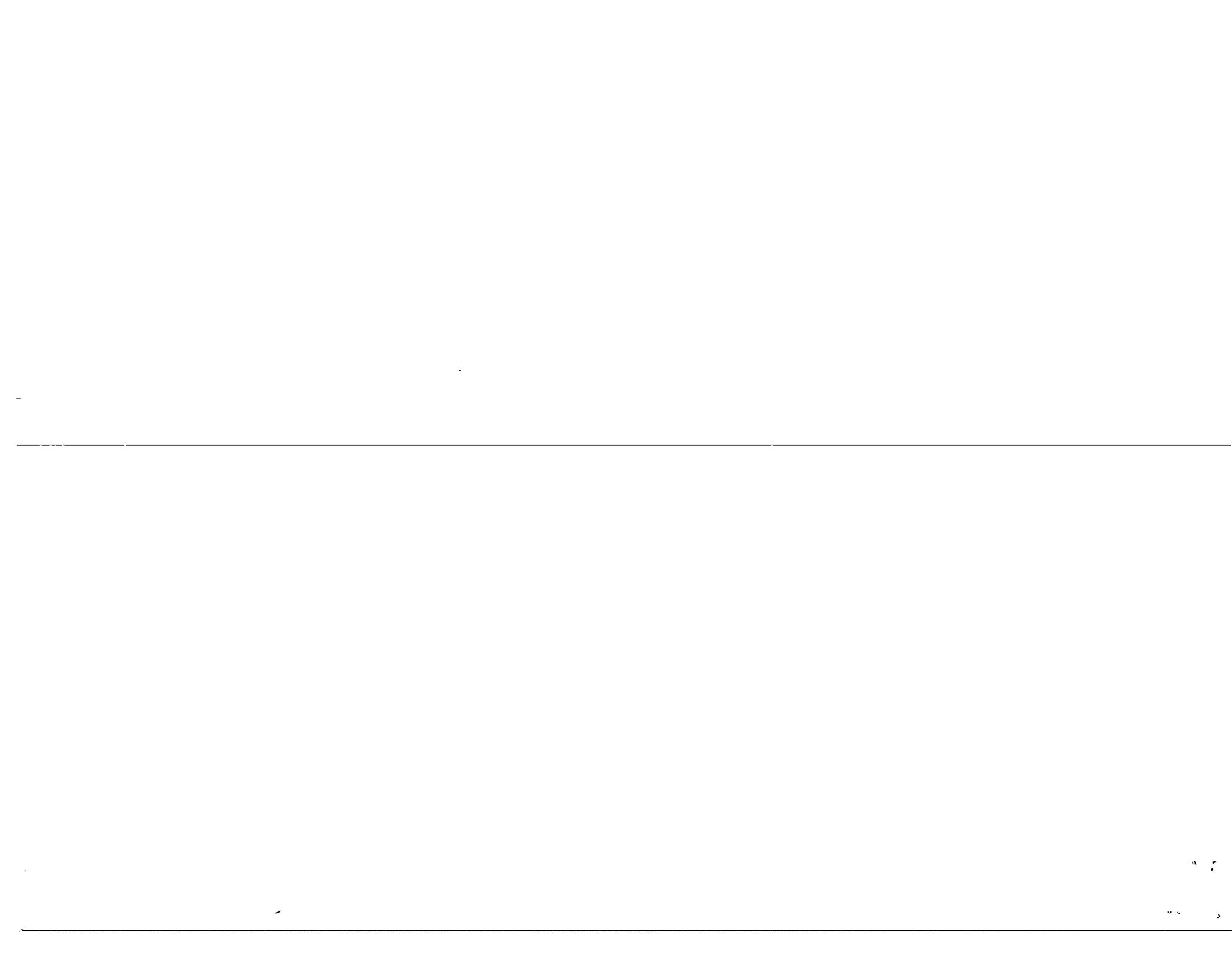
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/1	shoveme 06/5/99	jgeller 06/7/99	ismith 06/8/99	_____	lrb_docadmin 06/8/99	lrb_docadmin 06/8/99	
1/2 MES FE Sent For:		1/2 7/27 jlg	kjf 7/27	kjf 7/27 <END>			



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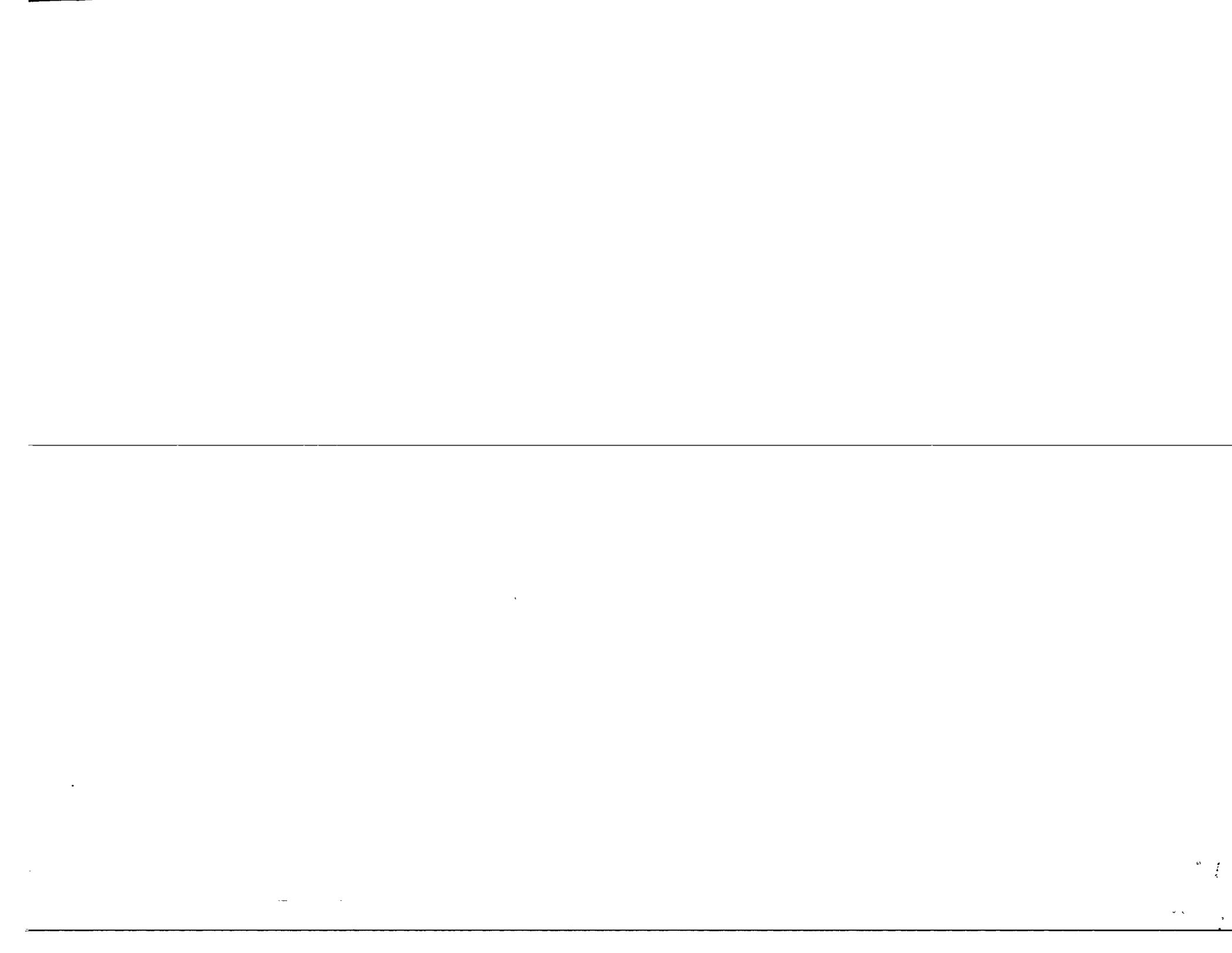
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/1	shoveme	11 6/1/99	IS 6/8/99	IS/DF 6/8/99			
11 NES 6/5/99							

FE Sent For:

<END>

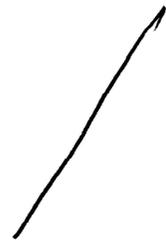


Shovers, Marc

From: Wadium, Mark
Sent: Friday, May 28, 1999 2:57 PM
To: Shovers, Marc
Subject: AB-275

Marc:
Yesterday I had the page staff deliver a note from DOR as to sections of law that need to be reconciled with AB-275. I guess this means we need another amendment.

Thanks,
Mark Wadium
Office of Representative Frank Lasee
State Capitol Room 7 North
P.O. Box 8952
Madison, WI 53708-8952
(608) 266-9871



- 0984

GIVE TO DRAFTERS AR 275

Cross reference -

BMW REID - DOR -

Amend ~~1198(4)~~ Income + franchise

~~119.61(5)~~ Sales tax - this is in subch III

139.91 - Controlled substances

~~119.198~~ County of stadium - contains general reference to Subch. III - ~~not needed~~ - ^{see d. 37, 39 &}

~~119.96(4)~~ Temporary recycling surcharge - References 119.198 - ~~not needed~~ because

~~119.99(2)(a)~~ Local expd - food + beverage - References 119.61(5) ~~not needed~~ - ^{08 X - neg} X - neg.

~~119.99(1)(a)~~ Local expd - rental car - References 119.61(5) ~~not needed~~ - ^{08 X - neg} X - neg.

~~119.99(4)(4)~~ Premier resort - Refers to 119.19 & D. 37, 36 (1) ~~not needed~~ - ^{08 X - neg} X - neg

~~119.99(5)(a)~~ Rental vehicle fee - Refers to 119.61(5) ~~not needed~~ - ^{08 X - neg} X - neg

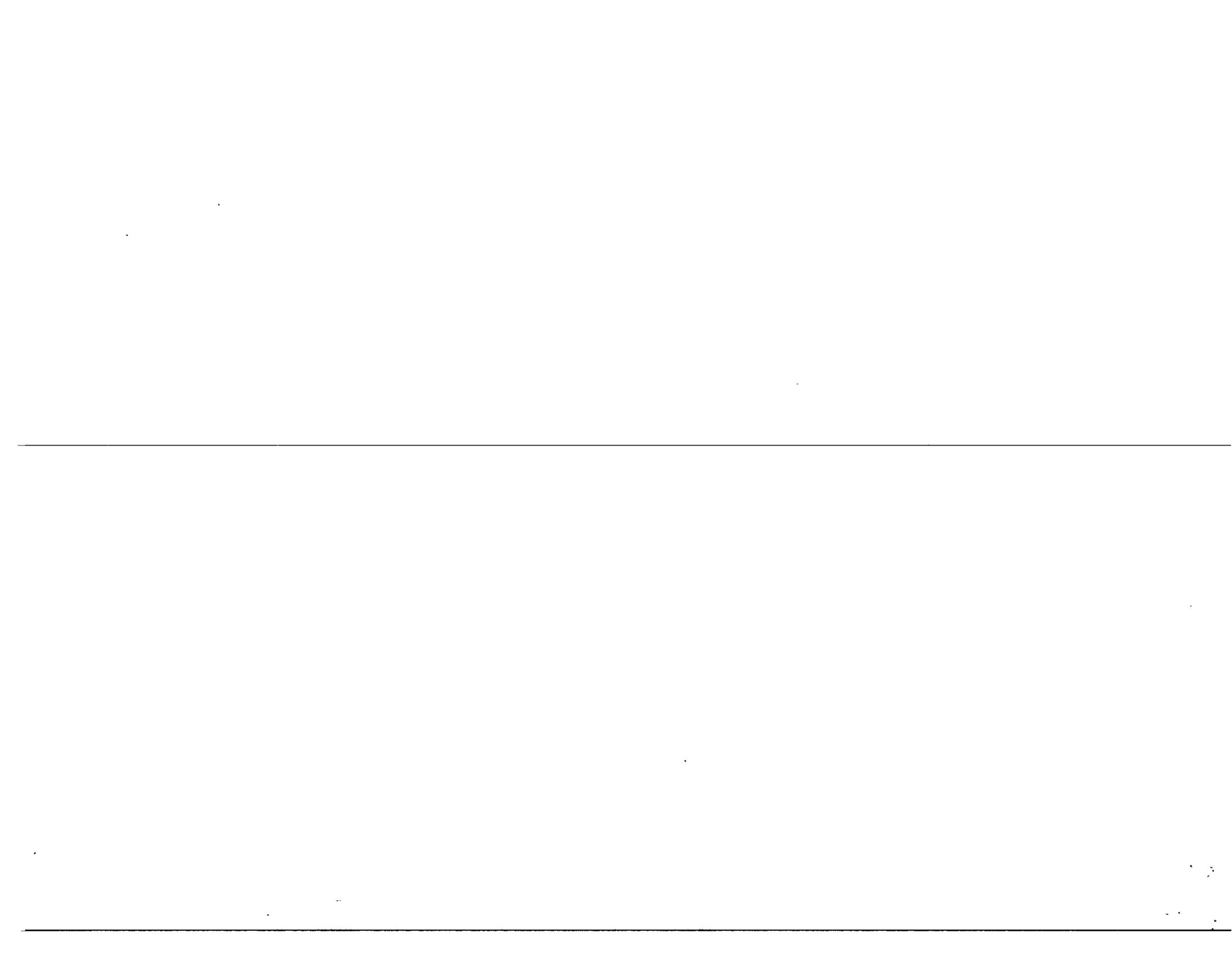
~~119.99(4)(a)~~ Dry cleaning fees - Refers to 119.198 (4)

~~118.80(3)~~ Fuel taxes - Refers to 119.198 (4)

~~139.11(4)~~ Beverage taxes - Refers to 119.198 (4)

~~139.38(6)~~ Cigarette taxes - Refers to 119.198 (4)

~~139.88(6)~~ Tobacco products tax - Refers to 119.198 (4)





State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0474/1
MES.....

300M
LJG

ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 275

D-NOTE

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 4: before that line insert:

3 "SECTION 1. 71.78 (4) (q) of the statutes is created to read:

4 71.78 (4) (q) The secretary of revenue and employes of that department for the
5 purpose of preparing and maintaining the list of persons with unpaid tax obligations
6 as described in s. 73.03 (56)."

SECTION

7 2. Page 1, line 4: delete "11" and substitute "1e".

8 3. Page 2, line 9: after that line insert:

9 "SECTION 1h. 77.61 (5) (b) 12. of the statutes is created to read:

10 77.61 (5) (b) 12. The secretary of revenue and employes of that department for
11 the purpose of preparing and maintaining the list of persons with unpaid tax
12 obligations as described in s. 73.03 (56).

13 SECTION 1m. 139.91 (1) of the statutes is amended to read:



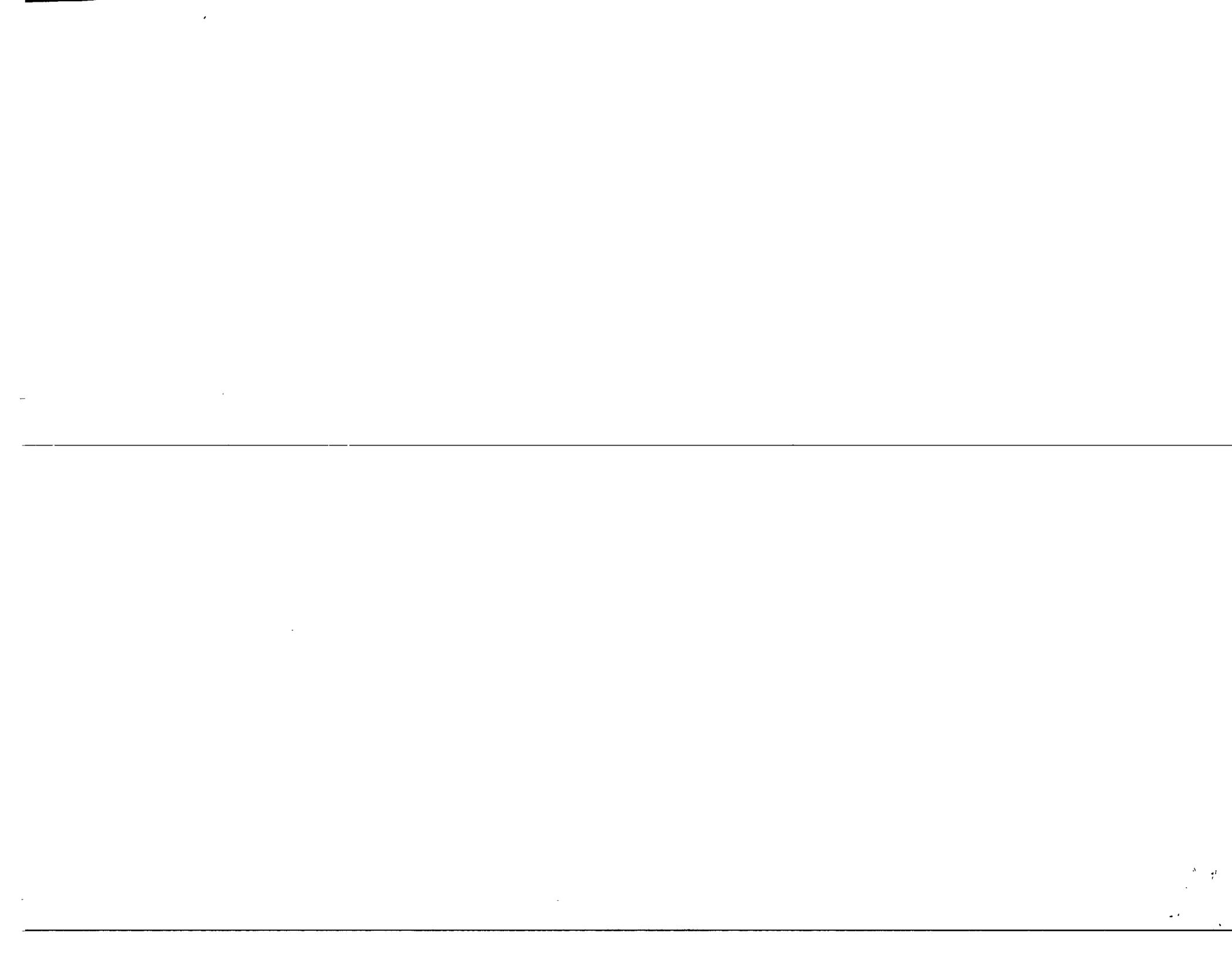
1 139.91 (1) The Except as provided in sub. (4), the department may not reveal
2 facts obtained in administering this subchapter, except that the department may
3 publish statistics that do not reveal the identities of dealers.

History: 1989 a. 122; 1991 a. 39; 1997 a. 27.

4 **SECTION 1p.** 139.91 (4) of the statutes is created to read:

5 139.91 (4) The secretary of revenue and employes of that department may
6 reveal facts obtained in administering this subchapter for the purpose of preparing
7 and maintaining the list of persons with unpaid tax obligations as described in s.
8 73.03 (56)."

(END) ✓



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

LRBa0474/1dn

MES...j.....

↑
JL

Although I've amended s. 139.91 (1) and created s. 139.91 (4) ✓, as requested by the department of revenue, this section has no legal effect because ss. 139.87 to 139.96, 1995 stats., has been ruled unconstitutional by the state Supreme Court in *State v. Hall*, 207 Wis. 2d 54 (1997).

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us

3
2
1
2
2

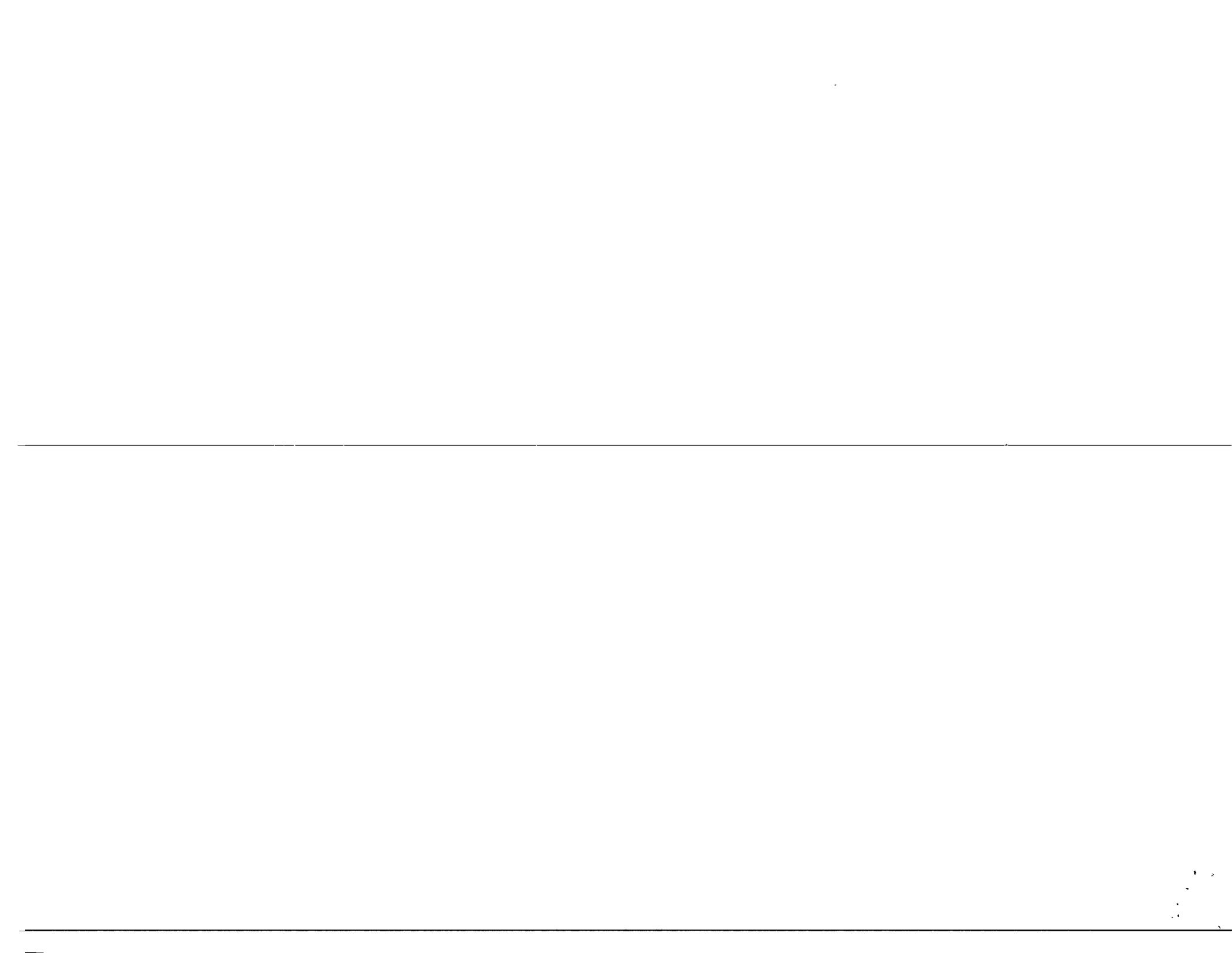
**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0474/1dn
MES:jlg:ijs

June 8, 1999

Although I've amended s. 139.91 (1) and created s. 139.91 (4), as requested by the department of revenue, this section has no legal effect because ss. 139.87 to 139.96, 1995 stats., has been ruled unconstitutional by the state Supreme Court in *State v. Hall*, 207 Wis. 2d 54 (1997).

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us



Shovers, Marc

From: Wadium, Mark
Sent: Wednesday, July 21, 1999 8:51 AM
To: Shovers, Marc
Subject: FW: AB 275

Marc:

Please give Tom Reid at DOR a call at 266-8474. DOR seems to have a problem with AB-275.

Thanks for your help with this issue.

Mark Wadium

Office of Representative Frank Lasee

State Capitol Room 7 North

P.O. Box 8952

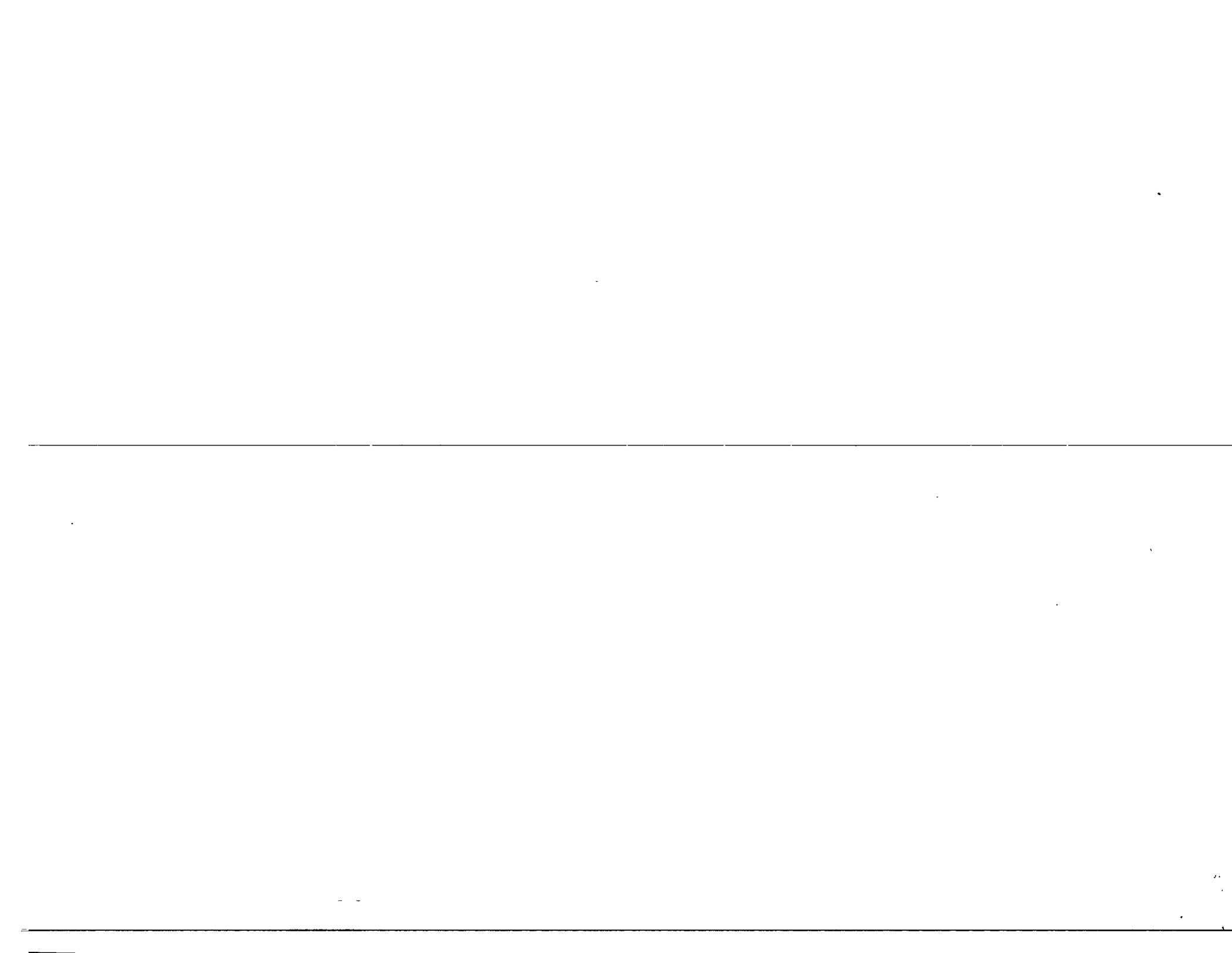
Madison, WI 53708-8952

(608) 266-9871

-----Original Message-----

From: Ourada, Thomas D
Sent: Wednesday, July 21, 1999 8:25 AM
To: Wadium, Mark
Subject: AB 275

Mark, I had Tom Reid of our income tax staff review the amendment to AB 275 (LRBa0474/1). Tom believes that this amendment does not accomplish what the dept. had sought in terms of addressing the confidentiality of tax returns. Rather than adding the section that says the secretary and dept. employees can prepare and maintain the list, we believe that the general public must be given specific access to the information that will be provided on the Internet and secondly to provide the general public access to the information that will be available on the hard copy list of all delinquents. Both section 71.78 (4) (q) and section 139.91 (4) should be revised to clearly provide DOR with the authority to provide the general public access to these two items (the Internet list and the hard copy list). It might be advisable to have Mark Shovers speak directly with Tom Reid to make certain that they are in agreement on the wording of the amendment. Tom's phone number is 266-8474 and he should be back in the office this afternoon. Thanks for seeking our input.





SOON

PMR

ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 275

P-note

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 4: before that line insert:

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4 71.78 (4) (q) The secretary of revenue and employes of that department for the
5 purpose of preparing and maintaining the list of persons with unpaid tax obligations
6 as described in s. 73.03 (56)."

so that the list of such persons is available for public inspection

7 2. Page 1, line 4: delete "SECTION 1" and substitute "SECTION 1e".

8 3. Page 2, line 9: after that line insert:

9 "SECTION 1h. 77.61 (5) (b) 12. of the statutes is created to read:

10 77.61 (5) (b) 12. The secretary of revenue and employes of that department for
11 the purpose of preparing and maintaining the list of persons with unpaid tax
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2 facts obtained in administering this subchapter, except that the department may
3 publish statistics that do not reveal the identities of dealers.

4 **SECTION 1p.** 139.91 (4) of the statutes is created to read:

5 139.91 (4) The secretary of revenue and employes of that department may
6 reveal facts obtained in administering this subchapter for the purpose of preparing
7 and maintaining the list of persons with unpaid tax obligations as described in s.

8 73.03 (56)". *so that the list of such persons is available for*
public inspection ✓

9 (END)

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

LRBa0474²dn
MES:plg:ijs

June 8, 1999 3 new date

Although I've amended s. 139.91 (1) and created s. 139.91 (4), as requested by the department of revenue, this section has no legal effect because ss. 139.87 to 139.96, 1995 stats., has been ruled unconstitutional by the state Supreme Court in *State v. Hall*, 207 Wis. 2d 54 (1997).

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0474/2dn
MES:jlg:kjf

July 27, 1999

Although I've amended s. 139.91 (1) and created s. 139.91 (4), as requested by the department of revenue, this section has no legal effect because ss. 139.87 to 139.96, 1995 stats., has been ruled unconstitutional by the state Supreme Court in *State v. Hall*, 207 Wis. 2d 54 (1997).

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