

**1999 DRAFTING REQUEST****Assembly Amendment (AA-AB275)**Received: **10/08/1999**Received By: **shoveme**Wanted: **As time permits**

Identical to LRB:

For: **Frank Lasee (608) 266-9870**By/Representing: **Mark**This file may be shown to any legislator: **NO**Drafter: **shoveme**

May Contact:

Alt. Drafters:

Subject: **Tax - individual income  
Tax - corp. inc. and fran.**Extra Copies: **JK****Pre Topic:**

No specific pre topic given

**Topic:**

Delinquent taxpayer accounts on the internet

**Instructions:**

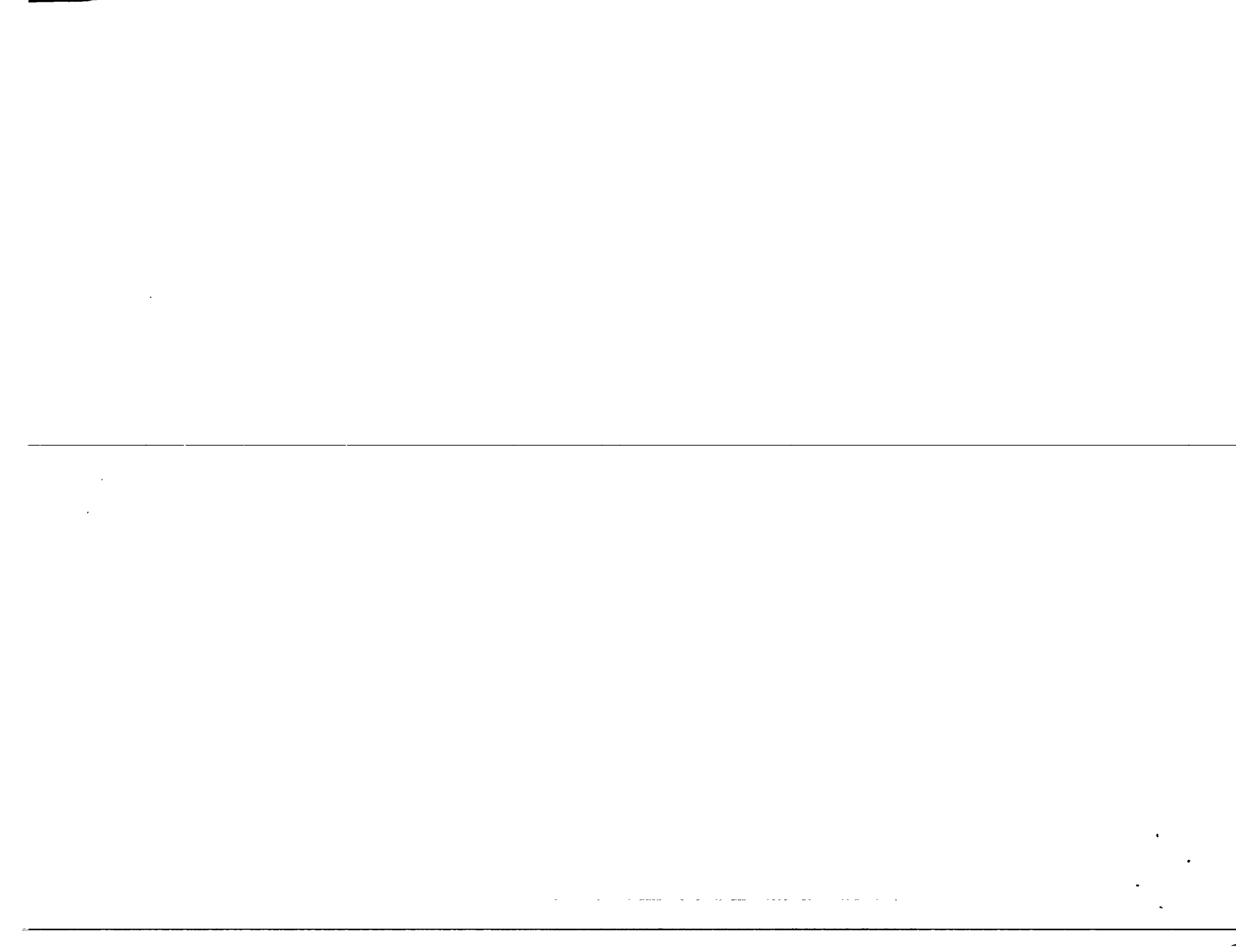
See Attached. Require DOR to maintain, and update at least quarterly, a computer file of the list; incorporate a0474/2; in event of error, DOR must post retraction in internet (leave up at least 30 days) and send apology.

**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 10/08/1999	wjackson 10/11/1999	mclark 10/11/1999	_____	lrb_docadmin 10/11/1999	lrb_docadmin 10/11/1999	
/2	shoveme 10/12/1999	wjackson 10/12/1999	kfollet 10/12/1999	_____	lrb_docadmin 10/12/1999	lrb_docadmin 10/12/1999	

FE Sent For:

&lt;END&gt;



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12 MES 10/12/99  
FE Sent For:  
12/10/12 WLJ

KJF 10/12 MRC  
10/12 <END> J

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/1	shoveme	/1 wlj 10/11	10/11 MRC	MRC/JF <del>10/11</del>			

*11 MES 10/8/99*

FE Sent For:

<END>

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AM per AB 275

master file <sup>BA</sup> req DOR to maintain to  
list of a computer file - updated at  
least quarterly

~~not~~ someone could ask for

the entire list or <sup>by</sup> an indiv name

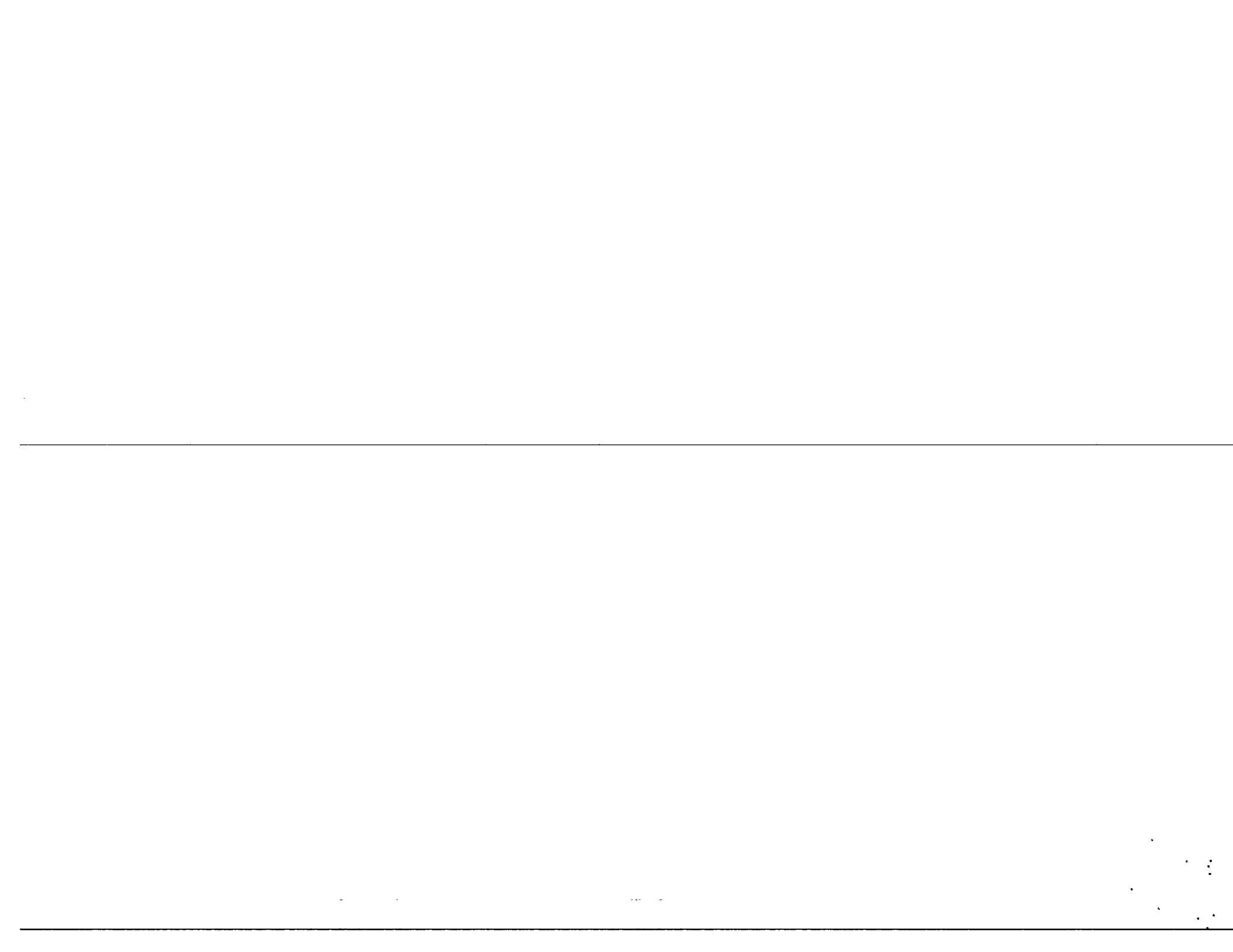
me<sup>??</sup> available under open records law -  
cover errors

incorporate the confidentiality AM;

in event of error,  
DOR must ~~print~~ <sup>post</sup> retractions on WEB  
& leave up for at least 30 days.

DOR must send a letter <sup>apologies</sup> to someone  
who is listed erroneously







ASSEMBLY AMENDMENT,  
TO 1999 ASSEMBLY BILL 275

DINOTE  
WANTED  
MON, AM

WFO: Please print  
w/ line numbers.

At the locations indicated, amend the bill as follows:  
# Page 1, line 3: delete "internet" and substitute "Internet".

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

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

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

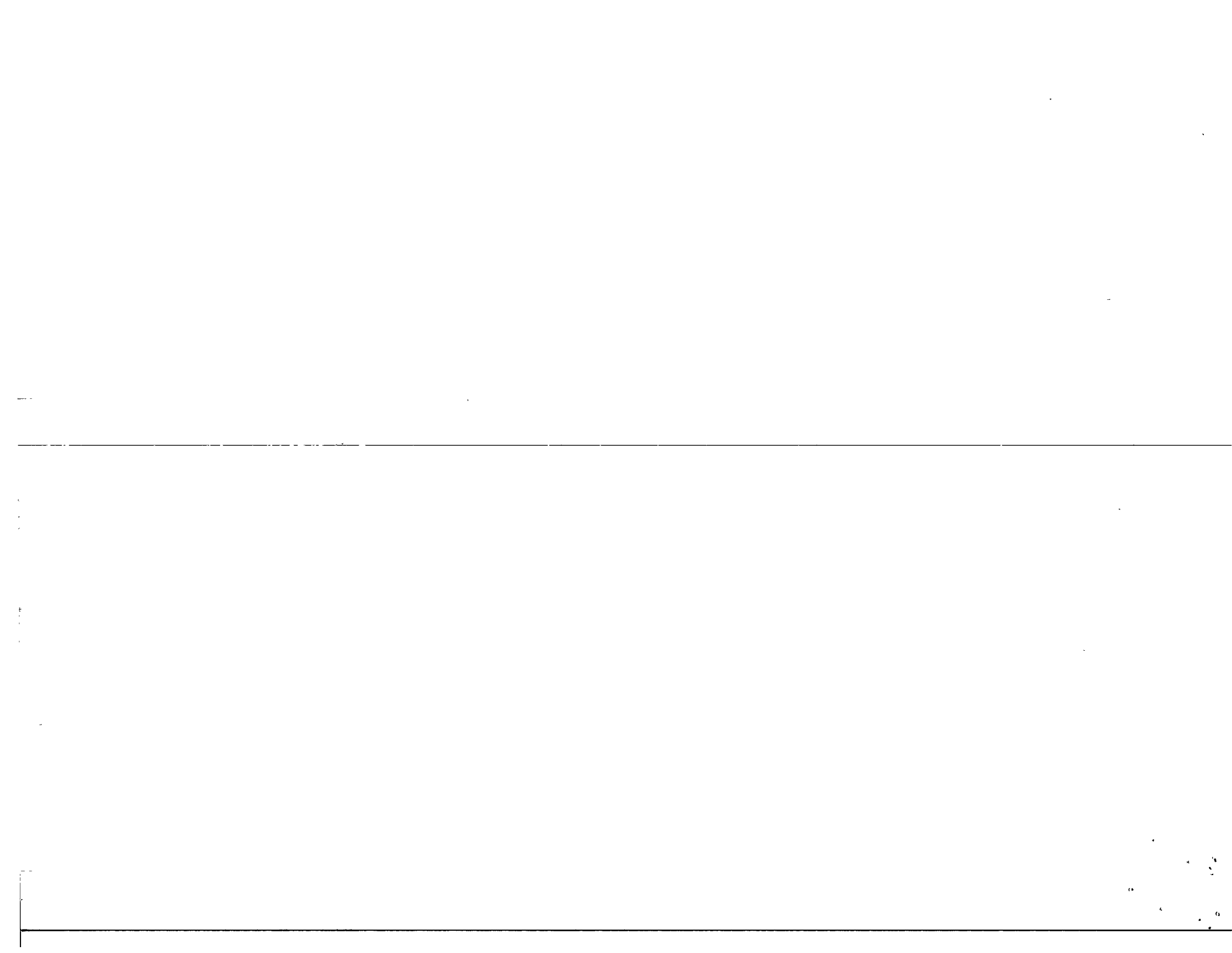
2. Page 1, line 4: delete "SECTION 1" and substitute "SECTION 1e".

3. Page 1, line 5: after "(56)" insert "(a)".

# Page 2, line 2: on lines 2, 3 and 9, delete "internet" and substitute "Internet".

4. Page 2, line 6: after "inspection" insert ", and the department shall maintain the list on an electronic medium, including an optical disk".

5. Page 2, line 7: after "list" insert ", electronic medium and optical disk".



**6.** Page 2, line 9: after “basis” insert “, and the department shall update the electronic medium, including the optical disk, on at least a quarterly basis”.

**7.** Page 2, line 9: after that line insert:

“(b) If the department, acting under par. (a),<sup>✓</sup> erroneously enters on its list or erroneously posts on the internet the name of a person, the department shall send a letter of apology to the person and shall post a retraction, for at least 30 days, on its internet site.  
=

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

“**SECTION 1h.** 77.61 (5) (b) 12.<sup>✓</sup> of the statutes is created to read:

77.61 (5) (b) 12. The secretary of revenue and employes of that department for the purpose of preparing and maintaining the list of persons with unpaid tax obligations as described in s. 73.03 (56)<sup>✓</sup> so that the list of such persons is available for public inspection.

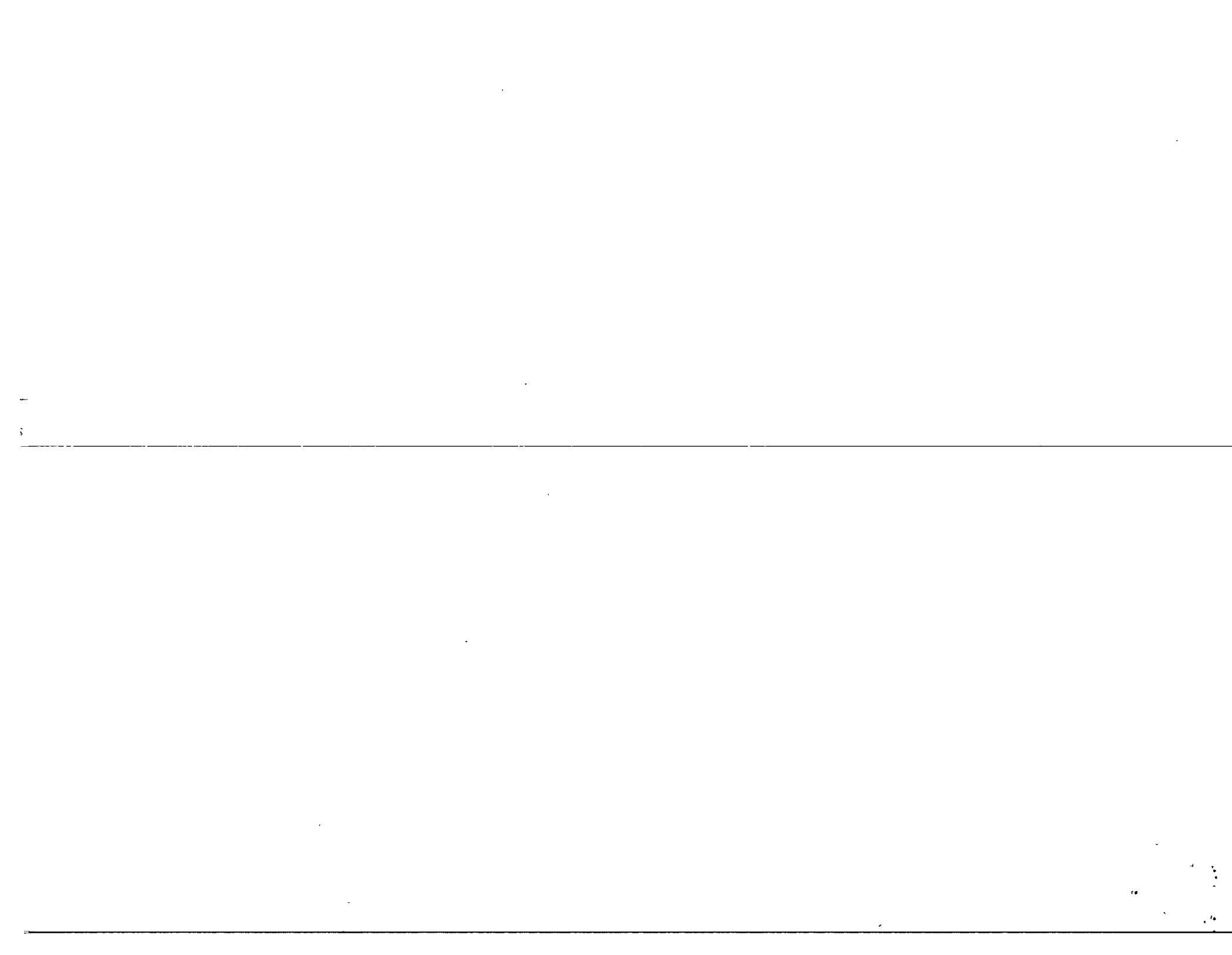
**SECTION 1m.** 139.91 (1)<sup>✓</sup> of the statutes is amended to read:

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

**SECTION 1p.** 139.91 (4)<sup>✓</sup> of the statutes is created to read:

139.91 (4) The secretary of revenue and employes of that department may reveal facts obtained in administering this subchapter for the purpose<sup>s</sup> of preparing and maintaining the list of persons with unpaid tax obligations as described in s. 73.03 (56)<sup>✓</sup> so that the list of such persons is available for public inspection.”.

(END)



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

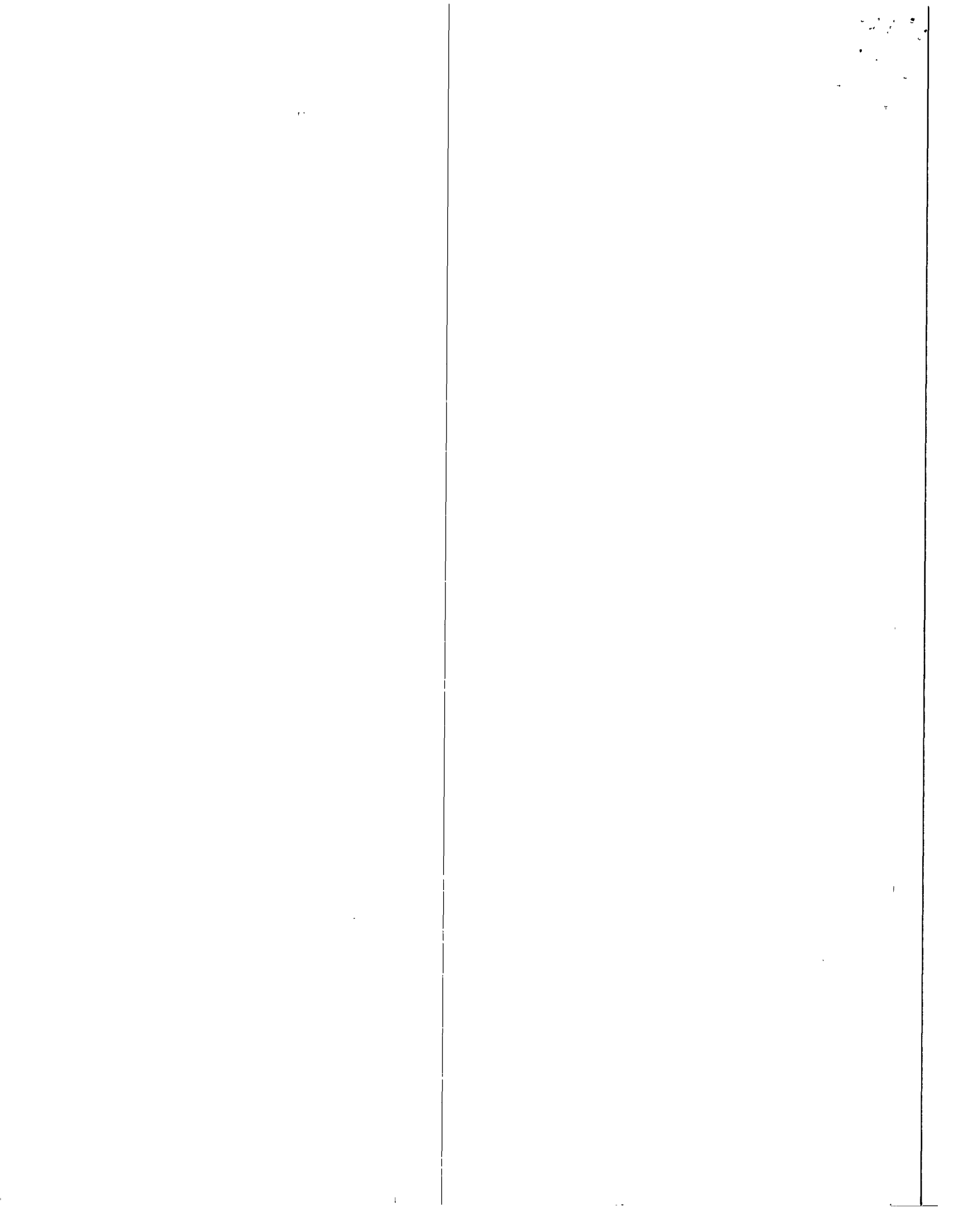
LRBa0746/1dn

MES.../.....

WJ

Please review this amendment carefully to ensure that it meets your intent. I spoke with Jeff Kuesel and he verified that the bill, as amended, is subject to the open records law; no special authorization is needed for a member of the public to gain access to the lists in whatever format DOR is required to maintain them. Please let me know if you have any additional questions.

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



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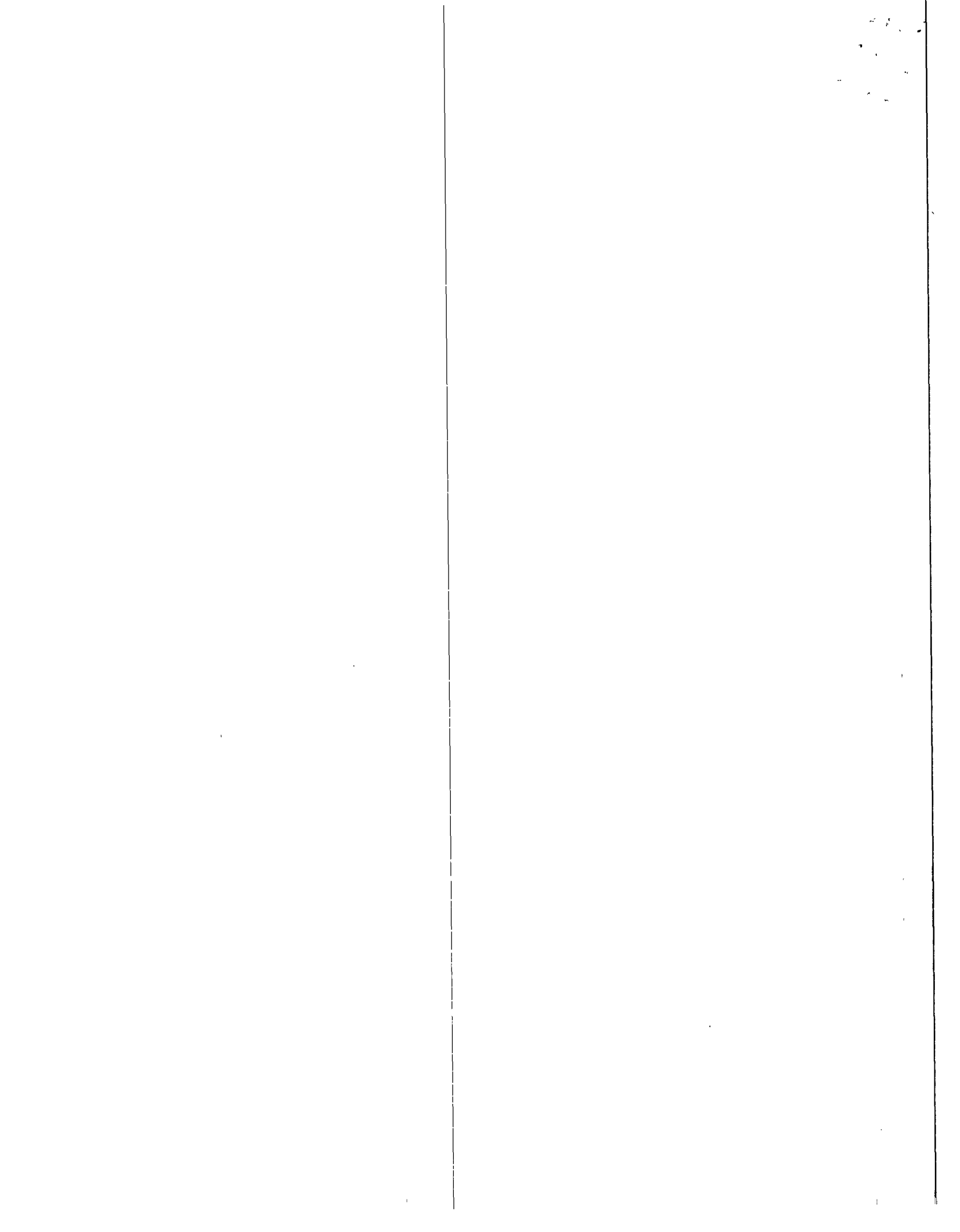
LRBa0746/1dn  
MES:wlj:mrc

October 11, 1999

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







State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBa0746/2  
MES:wlj:mj

FMR

ASSEMBLY AMENDMENT,  
TO 1999 ASSEMBLY BILL 275

now

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 3: delete "internet" and substitute "Internet".
- 3 **2.** Page 1, line 4: before that line insert:
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- 5 71.78 (4) (q) The secretary of revenue and employes of that department for the
- 6 purpose of preparing and maintaining the list of persons with unpaid tax obligations
- 7 as described in s. 73.03 (56) so that the list of such persons is available for public
- 8 inspection."
- 9 **3.** Page 1, line 4: delete "SECTION 1." and substitute "SECTION 1e."
- 10 ~~4.~~ Page 1, line 5: after "(56)" insert "(a)".
- 11 **5.** Page 2, line 2: on lines 2, 3 and 9, delete "internet" and substitute "Internet".
- 12 **6.** Page 2, line 6: after "inspection" insert ", and the department shall maintain
- 13 the list on an electronic medium, including an optical disk".

1           7. Page 2, line 7: after "list" insert <sup>of and</sup> "electronic medium ~~and optical disc~~".

2           8. Page 2, line 9: after "basis" insert ", and the department shall update the  
3 electronic medium, ~~including the optical disc~~ on ~~at least~~ a quarterly basis".

4           ~~9. Page 2, line 9: after that line insert:~~

5           ~~"(b) If the department, acting under par. (a), erroneously enters on its list or  
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7 a letter of apology to the person and shall post a retraction, for at least 30 days, on  
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24

(END)