

1999 DRAFTING REQUEST

Bill

Received: 07/28/1999

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Jim Baumgart (608) 266-2056

By/Representing: Pat

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Alt. Drafters: gibsom

Subject: Nat. Res. - miscellaneous

Extra Copies:

Pre Topic:

No specific pre topic given


Topic:

Sales and use tax amounts deposited in the conservation fund

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>		<u>Required</u>
/P1	rkite 08/18/1999		mclark 08/18/1999	_____	lrb_docadmin 08/18/1999		
/1	gibsom 09/16/1999	jgeller 09/17/1999	hhagen 09/17/1999	_____	lrb_docadmin 09/17/1999		State
/2	gibsom 09/20/1999	jgeller 09/20/1999	mclark 09/20/1999	_____	lrb_docadmin 09/20/1999	lrb_docadminState	09/21/1999

FE Sent For:

G 09-28-99

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/1	gibsom 09/16/1999	jgeller 09/17/1999	hhagen 09/17/1999	_____	lrb_docadmin 09/17/1999		State

FE Sent For:

1/2 9/20 jlg *MRC 9/20* *MRC/JF 9/20*

<END>

08/18/1999 12:37:21 PM

Page 1

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/P1	rkite 08/18/1999	11/9/17 jlg	mclark 08/18/1999	_____	lrb_docadmin 08/18/1999		

FE Sent For:

9/17
dw/mc 9/17
HK
<END>

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Identical to LRB:

For: Jim Baumgart (608) 266-2056

By/Representing: Pat

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Alt. Drafters: MGT

Subject: Nat. Res. - miscellaneous

Extra Copies: 1-JK

Pre Topic:

No specific pre topic given

Topic:

Sales and use tax amounts deposited in the conservation fund

Instructions:

See Attached - Per Pat - OK to talk w/ Mark Patronicky

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?	rkite	PI 8/18 jlg	MRC 8/18	MRC/KR 8/18			

FE Sent For:

<END>

the rough draft of the bill
ngent would like to have
relating to depositing money into
ation fund. If you have
sues, please give me a call

Pact
6-2056

1 **AN ACT** to create 25.29 (1) (f) of the statutes; relating to: depositing moneys into the
2 conservation fund.

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

3 **SECTION 1.** 25.29 (1) (f) of the statutes is created to read:

4 25.29 (1) (f) ~~For each fiscal year an amount equal to one-eighth of 1% of the gross~~
5 receipts, as defined in s. 77.51 (4), upon which taxes are imposed under subch. III of ch. 77.

6 **SECTION 2. Nonstatutory provisions.**

7 (1) BUDGET REQUEST. The department of natural resources shall submit, as part of its
8 biennial budget request for the 2001-03 biennium, a proposal for the expenditure of funds and
9 the necessary appropriations related to the general fund supplement to the conservation fund
10 provided under section 25.29 (1) (f) of the statutes, as created by this act.

11 (2) ADVISORY COMMITTEE. The department of natural resources shall appoint an
12 advisory committee to assist in the preparation of the budget request under subchapter (1).

13 **SECTION 3. Initial applicability.**

14 (1) Section 25.29 (1) (f) of the statutes, as created by this act, first applies to gross
15 receipts that are taxed under subchapter III of chapter 77 of the statutes on July 1, 2001.

16 (END)

*20.855 Miscellaneous
transfer annually
tell DOR*

*16.40 -
Duties of DOR*

*annually on
Sept 1
collected for
preceding fiscal
year ending June 30
determine amount to
be transferred*



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3354/P1

RNK.....

4M66 jlg

today
2 p.m.

D-Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

WPO - check
auto refs

gen

1 AN ACT ...; relating to: the transfer of a portion of sales and use taxes from the
2 general fund to the conservation fund. and making an appropriation ✓

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

3 SECTION 1. 20.855 (4) (d) of the statutes is created to read:

4 20.855 (4) (d) Transfer to the conservation fund; sales and use tax formula. ~~Do~~

5 ~~September 1 of each fiscal year a sum sufficient in an amount equal to the amount~~
6 ~~to be paid into the conservation fund, as determined under s. 25.29 (1) (f).~~ to be transferred to the conservation fund on September 1 annually

7 SECTION 2. 25.29 (1) (f) of the statutes is created to read:

8 25.29 (1) (f) For fiscal year 2001-02 and for each fiscal year thereafter, ~~an amount~~ an amount

9 of all sales and use taxes imposed under subch. III of ch. 77 that is equal to the sum of the following:

1. An amount equal to
 1 of one-eighth of 1% of all of the gross receipts upon which sales taxes are imposed
 2 under s. 77.52 *# 2. An amount equal to* and one-eighth of 1% of all of the sales prices upon which use taxes
 3 are imposed under s. ^{FA}77.53. ✓

SECTION 3. 73.03 (56) of the statutes is created to read:

5 73.03 (56) By September 1, 2001 *← comma* and by September 1 of each year thereafter,
 6 certify to the department of administration the amount of all of the gross receipts
 7 upon which sales taxes are imposed under s. 77.52 and the amount of all of the sales
 8 prices ~~of services~~ upon which use taxes are imposed under s. ^Δ77.53 for the previous
 9 fiscal year. *the moneys that are derived from*

SECTION 4. Nonstatutory provisions.

11 (1) BUDGET REQUEST. *Notwithstanding section 16.42 (1) of the statutes,* the
 12 of its biennial budget request for the 2001-03 ^{fiscal} biennium, a proposal for the
 13 appropriation of funds related to the amounts *that are paid into* in the conservation fund under section
 14 ~~20.855 (4) (d)~~ of the statutes, as created by this act.

15 (2) ADVISORY COMMITTEE. The department of natural resources shall appoint an
 16 advisory committee to assist the department of natural resources in its preparation
 17 of its budget request under ^{subsection} ~~sub~~ (1). *a.r.*

SECTION 5. Effective date

⑤ This act takes effect on the day after publication, except as follows:
 19 (1) The treatment of section ~~20.855~~ (4) (d) of the statutes takes effect on July
 20 1, 2001.

(END) ✓

*fix
compos*

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

LRB-3354/P1dn
RNK.....

↑
JL

1. I have prepared this draft in preliminary form because I was uncertain whether the draft fully complies with the intent of your request. Because the draft is in preliminary form, you should feel free to request redrafting before I prepare the draft for you in final form.

2. With permission from Pat of your office, I discussed this draft with Mark Patrosky from the legislative council. Based on that discussion, it is my understanding that the amount that you want to be transferred to the conservation fund is an amount that is equal to one-eighth of 1% of the total amounts upon which taxes are imposed under subchapter III of ch. 77 of the statutes and not one-eighth of 1% of the actual taxes imposed under that subchapter. I believe that the result would be an amount that is somewhere in the area of 2.5% of the taxes imposed under subchapter III of ch. 77. You might want to talk with someone at the department of revenue or the fiscal bureau to more accurately determine this percentage.

3. I have provided that the transfer take place on September 1 of each year rather than July 1 of each year in order to give the department of revenue sufficient time to determine the gross receipts and the sales price totals for the previous fiscal year. The draft requires the department of revenue to certify those amounts to the department of administration.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: Robin.Kite@legis.state.wi.us

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

LRB-3354/P1dn
RNK:jlg:mrc

August 18, 1999

1. I have prepared this draft in preliminary form because I was uncertain whether the draft fully complies with the intent of your request. Because the draft is in preliminary form, you should feel free to request redrafting before I prepare the draft for you in final form.

2. With permission from Pat of your office, I discussed this draft with Mark Patronskey from the legislative council. Based on that discussion, it is my understanding that the amount that you want to be transferred to the conservation fund is an amount that is equal to one-eighth of 1% of the total amounts upon which taxes are imposed under subchapter III of ch. 77 of the statutes and not one-eighth of 1% of the actual taxes imposed under that subchapter. I believe that the result would be an amount that is somewhere in the area of 2.5% of the taxes imposed under subchapter III of ch. 77. You might want to talk with someone at the department of revenue or the fiscal bureau to more accurately determine this percentage.

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Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: Robin.Kite@legis.state.wi.us

Redraft

want an annual cap of \$50M.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3354/PT
RNK&MGG;jlg:mrc
↑
stays
1 RMR

Mon

~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~

This bill transfers \$50,000,000[✓] from the general fund to the conservation fund on September 1 of each year.
FE-5

Regen

1 AN ACT to create 20.855 (4) (d), 25.29 (1) (f) and 73.03 (56) of the statutes;
2 relating to: the ^{annual} transfer of a portion of sales and use tax from the general
3 fund to the conservation fund and making an appropriation.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this ~~draft~~.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows: ^{to transfer \$50,000,000[✓]}

4 SECTION 1. 20.855 (4) (d) of the statutes is created to read:
5 20.855 (4) (d) Transfer to the conservation fund ~~sales and use tax formula~~. A
6 sum sufficient equal to the amount determined under s. 25.29 (1) (f) to be paid to the
7 conservation fund on September 1 ~~annually~~ of each year.

8 SECTION 2. 25.29 (1) (f) of the statutes is created to read:
9 25.29 (1) (f) For fiscal year ~~2001-02~~ and for each fiscal year thereafter, an
10 amount that is equal to the sum of the following:

WFO: note

2RMR

LRB-3354/PA
RNK&MGG:jlg:mrc

Today

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

✓ INSERT ANALYSIS

Regen

1 AN ACT *to create* 20.855 (4) (d), 25.29 (1) (f) and 73.03 (56) of the statutes;
2 relating to: the transfer of a portion of sales and use taxes from the general
3 fund to the conservation fund and making an appropriation.

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~~This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.~~

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

4 SECTION 1. 20.855 (4) (d) of the statutes is created to read:

5 20.855 (4) (d) *Transfer to the conservation fund; sales and use tax formula.* A
6 sum sufficient equal to the amount determined under s. 25.29 (1) (f) to be paid to the
7 conservation fund on September 1 annually.

8 SECTION 2. 25.29 (1) (f) of the statutes is created to read:

9 25.29 (1) (f) For fiscal year 2001-02 and for each fiscal year thereafter, an
10 amount that is equal to ^{\$50,000,000 or equal to} the sum of the following:

, whichever is less

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3354/lins
RNK&MGG;jlg:hmh

5
This bill requires in each fiscal year a transfer from the general fund to the conservation fund of \$50,000,000, or an amount that equals one-eighth of 1% of the the gross sale receipts upon which Wisconsin sales or use taxes are imposed for that fiscal year, whichever is less. Use taxes are sales ~~taxes~~ ^{taxes} that are imposed on out-of state purchases made by Wisconsin taxpayers.

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

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 09/20/1999

To: Senator Baumgart

Relating to LRB drafting number: LRB-3354

Topic

Sales and use tax amounts deposited in the conservation fund

Subject(s)

Nat. Res. - miscellaneous

1. **JACKET** the draft for introduction

James R Baumgart

in the Senate or the Assembly (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robin N. Kite, Legislative Attorney
Telephone: (608) 266-7291