

2003 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB197)

Received: 06/23/2003

Received By: jkreye

Wanted: Today

Identical to LRB:

For: Tim Carpenter (608) 266-8535

By/Representing: stuart

This file may be shown to any legislator: NO

Drafter: jkreye

May Contact:

Addl. Drafters:

Subject: Tax - corp. inc. and fran.

Extra Copies:

Submit via email: YES

Requester's email: Sen.Carpenter@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Corporations that take advantage of single sales factor to protect employees

Instructions:

See Attached

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	jkreye 06/23/2003	jdyer 06/24/2003	jfrantze 06/24/2003	_____	sbasford 06/24/2003	sbasford 06/24/2003	

FE Sent For:

<END>

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/1	jkreye	11/24/03	11/24/03	Self 11/24/03			

FE Sent For:

<END>

Kreye, Joseph

From: Sen.Carpenter
Sent: Monday, June 23, 2003 12:59 PM
To: Kreye, Joseph
Cc: Sen.Carpenter
Subject: Another Amendment to 197

Hi Joe--

Just got off the phone with Tim -- he wanted another amendment to 197: somewhere in the bill insert that in exchange for the advantages given by the bill, the corporations affected by this bill shall make all efforts in good faith to protect the workers employed by such corporations, including protecting the pension rights, and protecting the workers and retired workers against being dropped from health insurance, or dramatic increases in health ins. co-pays.

~~As for the amendment regarding the commission, there should probably be a provision that the panel appointed by the governor reflect the constituencies affected by the bill: business, labor, and government.~~

Let me know if you have any questions or comments!

Regards,
G. Stuart Ewy
Chief of Staff

Office Of Senator Tim Carpenter
State Capitol Building
Room 126S
PO BOX 7882
Madison, WI 53707-7882

(608) 266-8535



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa0721/1

JK:.....

Jld

SENATE AMENDMENT,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 197

D-N

now 6-24-03

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 3, line 20: after that line insert:

3 "SECTION 6m. 71.04 (4) (f) of the statutes is created to read:

4 71.04 (4) (f) For taxable years beginning after December 31, 2007, a taxpayer

5 whose remaining net income is apportioned as provided under par. (d) shall make all

6 efforts in good faith to protect the taxpayer's employees, including protecting the

7 pension rights of the employees, protecting employees and retired employees from

8 losing health benefits, and protecting employees and retired employees from

9 dramatic increases in health insurance copayments. If in any taxable year the

10 department determines that the taxpayer has not protected the taxpayer's

11 employees as provided under this paragraph, the taxpayer shall apportion the

12 taxpayer's remaining net income as provided under par. (a) for that taxable year."

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2. Page 8, line 25: after that line insert:

~~6m.~~ SECTION ⁹ 71.25 (6) (f) ^X of the statutes is created to read:

71.25 (6) (f) For taxable years beginning after December 31, 2007^o a taxpayer whose remaining net income is apportioned as provided under par. (d) shall make all efforts in good faith to protect the taxpayer's employees, including protecting the pension rights of the employees, protecting employees and retired employees from losing health benefits, and protecting employees and retired employees from dramatic increases in health insurance copayments. If in any taxable year the department determines that the taxpayer has not protected the taxpayer's employees as provided under this paragraph, the taxpayer shall apportion the taxpayer's remaining net income as provided under par. (a) for that taxable year."

3. Page 14, line 13: after that line insert:

"(d) For taxable years beginning after December 31, 2007, a domestic insurer whose net income is apportioned as provided under par. (c) shall make all efforts in good faith to protect the domestic insurer's employees, including protecting the pension rights of the employees, protecting employees and retired employees from losing health benefits, and protecting employees and retired employees from dramatic increases in health insurance copayments. If in any taxable year the department determines that the domestic insurer has not protected the domestic insurer's employees as provided under this paragraph, the domestic insurer shall apportion the domestic insurer's net income as provided under sub. (3) for that taxable year."

(END)

d-note
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0721/1dn

JK:.....

Jld

Senator Carpenter:

Please review this draft carefully to ensure that it is consistent with your intent. Your instructions did not provide any penalty for not complying with the "protection" requirement. I added a provision that requires the taxpayer to apportion his or her income under current law, rather than under single sales factor apportionment, in any taxable year that the taxpayer does not comply with the "protection" requirement. Without the penalty, there is no incentive to obey your requirement. Is it okay that I added the penalty?

Joseph T. Kreye
Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.state.wi.us

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

LRBa0721/1dn
JK:jld:jf

June 24, 2003

Senator Carpenter:

Please review this draft carefully to ensure that it is consistent with your intent. Your instructions did not provide any penalty for not complying with the "protection" requirement. I added a provision that requires the taxpayer to apportion his or her income under current law, rather than under single sales factor apportionment, in any taxable year that the taxpayer does not comply with the "protection" requirement. Without the penalty, there is no incentive to obey your requirement. Is it okay that I added the penalty?

Joseph T. Kreye
Legislative Attorney
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E-mail: joseph.kreye@legis.state.wi.us