

**2003 DRAFTING REQUEST**

**Bill**

Received: **02/06/2003**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **David Cullen (608) 267-9836**

By/Representing: **Jessica**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters: **dkennedy**

Subject: **Tax Credits - individual income  
Health - public health**

Extra Copies:

Submit via email: **NO**

**Pre Topic:**

No specific pre topic given

**Topic:**

Individual income tax checkoff for breast cancer research

**Instructions:**

See Attached. Redraft 2001 AB 420, LRB -1246/3.

**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>
/?	mshovers 02/06/2003 dkennedy 02/07/2003	csicilia 03/05/2003		_____			S&L
/1			chaugen 03/05/2003	_____	sbasford 03/05/2003		S&L
/2	dkennedy 03/13/2003	csicilia 03/14/2003 csicilia 03/14/2003	jfrantze 03/14/2003	_____	sbasford 03/14/2003	amentkow 05/07/2003	

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

FE Sent For:

*Attn*

<END>

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**Topic:**

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**Instructions:**

See Attached. Redraft 2001 AB 420, LRB -1246/3.

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/?	mshovers 02/06/2003 dkennedy 02/07/2003	csicilia 03/05/2003					S&L
/1		1/2 jjs 3/14 03	chaugen 03/05/2003		sbasford 03/05/2003		

FE Sent For:

*Jb 3/14*  
*Self*  
*3/14*  
**<END>**

2003 DRAFTING REQUEST

Bill

Received: 02/06/2003

Received By: mshovers

Wanted: As time permits

Identical to LRB:

For: David Cullen (608) 267-9836

By/Representing: Jessica

This file may be shown to any legislator: NO

Drafter: mshovers

May Contact:

Addl. Drafters: dkennedy

Subject: Tax Credits - individual income  
Health - public health

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Individual income tax checkoff for breast cancer research

Instructions:

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Drafting History:

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1/?	mshovers	1 cjs 3/4 03	OK 3/5	ck 3/5 cph			
1/1 MES 2/6/03							
FE Sent For:							

<END>

**Shovers, Marc**

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**From:** Kelly, Jessica  
**Sent:** Thursday, February 06, 2003 11:08 AM  
**To:** Shovers, Marc  
**Subject:** 2001 Assembly Bill 420

Marc - Can you please re-draft 2001 AB 420 for the current session (re: breast cancer check off).

Thanks.

**Jessica Ford Kelly**  
**Legislative Aide**  
**Office of Representative David Cullen**  
**State Capitol, Room 216-North**  
**P.O. Box 8952**  
**Madison, WI 53708-8952**  
**(608) 267-9836 - telephone**  
**1-888-534-0013 - toll free in WI**  
**(608) 282-3613 - fax**

WED. NOON 3/5

2001 - 2002 LEGISLATURE

-1969/1  
LRB-1276/3  
PAK  
MES&MR:kg:pg

D-NOTE

2003 2001 ASSEMBLY BILL 420

RMNR  
gjs

SAV  
new CR  
4-19-01

May 31, 2001 - Introduced by Representatives CULLEN, LADWIG, BOCK, ALBERS, HUBER, RILEY, SYKORA, MUSSER, SINICKI, CARPENTER, YOUNG, RICHARDS, POCAN, RYBA, PLOUFF, TURNER, SHILLING, WASSERMAN, MORRIS-TATUM, KREUSER, LASSA, OTT, BERCEAU and BOYLE, cosponsored by Senators PLACHE, BURKE, DARLING, ROSENZWEIG and ROESSLER. Referred to Committee on Public Health.

newly

requiring the exercise of

- 1 AN ACT *to amend* 20.566 (1) (hp); and *to create* 20.435 (5) (hc), 71.10 (5f) and
- 2 255.055 of the statutes; **relating to:** creating an individual income tax checkoff
- 3 for a breast cancer research program, creating a breast cancer research
- 4 program, ~~granting~~ rule-making authority, and making appropriations.

**Analysis by the Legislative Reference Bureau**

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program. This bill creates a similar income tax checkoff for designations to the breast cancer research program (program), which is created in the bill.

Under the bill, an individual who has an income tax liability, is due a refund, or is required to file a return may designate any amount of additional payment, or any amount of a refund due, to the program on his or her income tax return. If an individual's designation exceeds the amount of his or her refund, he or she must include a check with his or her tax return for the difference between the amount of the designation and the amount of the refund. If an individual who makes a contribution has a tax liability or has no tax liability and is due no refund, he or she must include a check for the amount of the designation with his or her tax return.

The bill requires that an amount equal to the total amount of designations received, less the total cost of administering the income tax check-off procedure, be used to provide grants to eligible persons to conduct breast cancer research projects. Eligible persons include physicians, hospitals, clinical laboratories, and institutions



family

ASSEMBLY BILL 420

The secretary of health and ~~services~~ services

of higher education. The bill requires the department of health and family services (DHFS) to administer the grant program. ~~DHFS~~ must appoint a breast cancer research advisory committee and consult with the committee before awarding a grant or establishing the eligibility criteria and procedures for the grants. The committee must include representatives of the Wisconsin Chapter of the American Cancer Society.

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

promulgating rules and

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

1 SECTION 1. 20.435 (5) (hc) of the statutes is created to read:

2 20.435 (5) (hc) *Breast cancer research grants*. As a continuing appropriation,  
3 from moneys received as amounts designated under s. 71.10 (5f) (b), the net amounts  
4 certified under s. 71.10 (5f) ~~(h) 4.~~ (i), for the purpose of awarding grants under s.  
5 255.055.

6 SECTION 2. 20.566 (1) (hp) of the statutes is amended to read:

7 20.566 (1) (hp) *Administration of endangered resources; professional football*  
8 *district; breast cancer research voluntary payments*. The amounts in the schedule for  
9 the payment of all administrative costs, including data processing costs, incurred in  
10 administering ss. 71.10 (5) ~~and (5e), and (5f)~~ and 71.30 (10). All moneys certified  
11 under ss. 71.10 (5) (h) 1. and 71.30 (10) (h) 1. and the moneys specified for deposit  
12 in this appropriation under s. ss. 71.10 (5) (h) 5., (5e) (h) 4., and (5f) ~~(h) 4.~~ (i)  
13 (10) (i) shall be credited to this appropriation.

14 SECTION 3. 71.10 (5f) of the statutes is created to read:

15 71.10 (5f) BREAST CANCER RESEARCH PROGRAM. (a) *Definitions*. In this  
16 subsection:

delete this space

## ASSEMBLY BILL 420

1           1. “Breast cancer research program” means the program under s. 255.055 that  
2 provides grants for breast cancer research and the payment of administrative  
3 expenses related to the administration of this subsection.

4           2. “Department” means the department of revenue.

5           (b) *Voluntary payments.* 1. ‘Designation on return.’ Every individual filing an  
6 income tax return who has a tax liability or is entitled to a tax refund may designate  
7 on the return any amount of additional payment or any amount of a refund due that  
8 individual for the breast cancer research program.

9           2. ‘Designation added to tax owed.’ If the individual owes any tax, the  
10 individual shall remit in full the tax due and the amount designated on the return  
11 for the breast cancer research program when the individual files a tax return.

12           3. ‘Designation deducted from refund.’ Except as provided in par. (d), if the  
13 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80  
14 (3), the department of revenue shall deduct the amount designated on the return for  
15 the breast cancer research program from the amount of the refund.

16           (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails  
17 to remit an amount equal to or in excess of the total of the actual tax due, after error  
18 corrections, and the amount designated on the return for the breast cancer research  
19 program:

20           1. The department shall reduce the designation for the breast cancer research  
21 program to reflect the amount remitted in excess of the actual tax due, after error  
22 corrections, if the individual remitted an amount in excess of the actual tax due, after  
23 error corrections, but less than the total of the actual tax due, after error corrections,  
24 and the amount originally designated on the return for the breast cancer research  
25 program.

## ASSEMBLY BILL 420

1           2. The designation for the breast cancer research program is void if the  
2 individual remitted an amount equal to or less than the actual tax due, after error  
3 corrections. ✓

4           (d) *Errors; insufficient refund.* If an individual ~~who~~ is owed a refund which does  
5 not equal or exceed the amount designated on the return for the breast cancer  
6 research program, after crediting under ss. 71.75 (9) and 71.80 (3) and after error  
7 corrections, the department shall reduce the designation for the breast cancer  
8 research program to reflect the actual amount of the refund that the individual is  
9 otherwise owed, after crediting under ss. 71.75 (9) and 71.80 (3) and after error  
10 corrections.

11           (e) *Conditions.* If an individual places any conditions on a designation for the  
12 breast cancer research program, the designation is void. ✓

13           (f) *Void designation.* If a designation for the breast cancer research program  
14 is void, the department shall disregard the designation and determine amounts due,  
15 owed, refunded, and received without regard to the void designation. ✓

16           (g) *Tax return.* The secretary of revenue shall provide a place for the  
17 designations under this subsection on the individual income tax return. ✓

18           (h) *Certification of amounts.* Annually, on or before September 15, the  
19 secretary of revenue shall certify to the department of health and family services, the  
20 department of administration, and the state treasurer:

21           1. The total amount of the administrative costs, including data processing  
22 costs, incurred by the department in administering this subsection during the  
23 previous fiscal year.

24           2. The total amount received from all designations for the breast cancer  
25 research program made by taxpayers during the previous fiscal year. ✓

## ASSEMBLY BILL 420

1           3. The net amount remaining after the administrative costs, including data  
2 processing costs, under subd. 1. are subtracted from the total received under subd.

3 2. <sup>(I)</sup>  
4 <sup>(i) Appropriations.</sup>  
5 <sup>¶</sup> From the moneys received from designations for the breast cancer research  
6 program, an amount equal to the sum of administrative expenses, including data  
7 processing costs, certified under ~~subd. 1.~~ <sup>par. (h) i.</sup> shall be deposited in the general fund and  
8 credited to the appropriation account under s. 20.566 (1) (hp), and the net amount  
9 remaining that is certified under ~~subd. 3.~~ <sup>par. (h)</sup> shall be credited to the appropriation under  
10 s. 20.435 (5) (hc). <sup>(j)</sup> <sup>(I)</sup>

11 <sup>¶</sup> Amounts designated for the breast cancer research program under this  
12 subsection are not subject to refund to the taxpayer unless the taxpayer submits  
13 information to the satisfaction of the department, within 18 months after the date  
14 on which the taxes are due or the date on which the return is filed, whichever is later,  
15 that the amount designated is clearly in error. <sup>paragraph</sup> Any refund granted by the  
16 department under this ~~subdivision~~ shall be deducted from the moneys received  
17 under this subsection in the fiscal year for which the refund is certified.

17           **SECTION 4.** 255.055 of the statutes is created to read:

18           **255.055 Breast cancer research grant program.** (1) Subject to sub. (2),  
19 from the appropriation under s. 20.435 (5) (hc), the department shall award grants  
20 to eligible persons, including physicians, hospitals, as defined in s. 50.33 (2), clinical  
21 laboratories, and institutions of higher education, as defined in s. 108.02 (18), to  
22 conduct breast cancer research projects. Breast cancer research projects shall  
23 include projects to develop and advance the understanding of the techniques and  
24 modalities that are effective in the early detection, prevention, cure, screening, and  
25 treatment of breast cancer and may include projects that involve clinical trials.

ASSEMBLY BILL 420

*Secretary*

*under  
§.15.04(1)  
(c)5*

1 (2) The ~~department~~ shall appoint a breast cancer research advisory committee  
 2 ~~under s. 15.04(1)(c)~~ and shall consult with the advisory committee before awarding  
 3 any grant under sub. (1). The advisory committee shall include representatives of  
 4 the ~~Wisconsin Chapter of the~~ American Cancer Society. Members of the advisory  
 5 committee may not receive compensation for serving on the committee but shall be  
 6 reimbursed for expenses actually and necessarily incurred in the performance of  
 7 their duties. ✓

8 (3) After consulting with the breast cancer advisory committee under sub. (2), ✓  
 9 the department shall promulgate rules specifying the eligibility criteria and  
 10 procedures for awarding grants under sub. (1). ✓

**SECTION 5. Initial applicability.**

12 (1) The treatment of section 71.10 (5f) of the statutes first applies to taxable  
 13 years beginning on January 1 of the year in which this subsection takes effect, except  
 14 that if this subsection takes effect after July 31, ~~this act~~ *the treatment of section 71.10(5f) of the statutes* first applies to taxable years  
 15 beginning on January 1 of the year following the year in which this subsection takes  
 16 effect. ✓

**SECTION 6. Effective dates.** This act takes effect on the day after publication,

except as follows:

19 (1) The treatment of section 255.055 <sup>(1)</sup> of the statutes takes effect on the first day  
 20 of the 3rd month beginning after the date on which the secretary of revenue first  
 21 credits the appropriation account under section 20.435 (5) (hc) of the statutes, as  
 22 created by this act, as specified under section 71.10 (5f) <sup>(c)</sup> ~~(1)(b)~~ of the statutes, as  
 23 created by this act. ✓

(END)

*4*

D-NOTE

To Representative Cullen:

I have made s. 255.055 (2) and (3) in this draft effective on the day after publication, so that the committee would be appointed quickly and, it is to be hoped, the rules promulgated in time to be in effect at the time the grant money is available. Would you also want a provision that requires DHFS to submit proposed rules to the legislative Council staff by a specific date that is related to the initial applicability and effective date provisions?

DAK

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

LRB-1969/1dn  
DAK:cjs:ch

March 5, 2003

To Representative Cullen:

I have made s. 255.055 (2) and (3) in this draft effective on the day after publication, so that the committee would be appointed quickly and, it is to be hoped, the rules promulgated in time to be in effect at the time the grant money is available. Would you also want a provision that requires DHFS to submit proposed rules to the Legislative Council staff by a specific date that is related to the initial applicability and effective date provisions?

Debora A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137  
E-mail: [debora.kennedy@legis.state.wi.us](mailto:debora.kennedy@legis.state.wi.us)

**Kennedy, Debora**

---

**From:** Kelly, Jessica  
**Sent:** Wednesday, March 12, 2003 3:10 PM  
**To:** Kennedy, Debora  
**Subject:** RE: LRB 1969/1

Thanks!

Call me pessimistic, but I don't think this bill is going to pass before 7/1/03 anyway. Let's go with option #1. ;-)  
Thanks.

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

**From:** Kennedy, Debora  
**Sent:** Wednesday, March 12, 2003 3:07 PM  
**To:** Kelly, Jessica  
**Subject:** RE: LRB 1969/1

If the bill passes before July 31, 2003, the checkoff would be applicable to 2003 tax returns; the money, therefore, would begin to flow in, at the very earliest, on January 1, 2004, and s. 255.055, under the bill, would take effect on April 1, 2004. I think an appropriate time for DHFS to submit the rules to the Legislative Council staff, then, would be by the first day of the fourth month after passage (at the latest, December 1); then, there would be at least four months to finish the rule-making process before the provision takes effect. It would mean that the committee would have to be appointed very quickly, however, and would have to very quickly put together the proposed rules. (If the bill passes after July 31, 2003, the checkoff would be applicable to 2004 tax returns, and the money would begin to flow in, at the earliest, on January 1, 2005, so there need not be a worry about time for appointing the committee and getting the rules in place.)

Another way to approach this would be to require submittal of the proposed rules to the Leg. Council by a date that is, say, 8 months after passage, and to change the effective date to the day after publication, or August 1, 2003, whichever is LATER--then you could be sure that the rules would be promulgated on time; the disadvantage of this approach is that it ensures that the grant program won't start up until 2004.

Lastly, you could give emergency rule-making authority to DHFS without requiring a finding of emergency--that is an expedited way to get the rule-making process going.

Hope that this long, involved explanation helps.

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

**From:** Kelly, Jessica  
**Sent:** Wednesday, March 12, 2003 2:31 PM  
**To:** Kennedy, Debora  
**Subject:** LRB 1969/1

Debora -

We would like a change in the breast cancer checkoff legislation requiring that DHFS submit their rules to Leg. Council by a specific date tied to the initial applicability and effectiveness date of the bill. Do you have any suggestions from other drafts you have prepared of a decent amount of time to place into the draft?

Thank you.

**Jessica Ford Kelly**  
**Legislative Aide**



**Office of Representative David Cullen  
State Capitol, Room 216-North  
P.O. Box 8952  
Madison, WI 53708-8952  
(608) 267-9836 - telephone  
1-888-534-0013 - toll free in WI  
(608) 282-3613 - fax**



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## 2003 BILL

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Reger cat

1 AN ACT to amend 20.566 (1) (hp); and to create 20.435 (5) (hc), 71.10 (5f) and  
 2 255.055 of the statutes; relating to: creating an individual income tax checkoff  
 3 for a breast cancer research program, creating a breast cancer research  
 4 program, requiring the exercise of rule-making authority, and making  
 5 appropriations.

### *Analysis by the Legislative Reference Bureau*

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program. This bill creates a similar income tax checkoff for designations to the breast cancer research program (program), which is created in the bill.

Under the bill, an individual who has an income tax liability, is due a refund, or is required to file a return may designate any amount of additional payment, or any amount of a refund due, to the program on his or her income tax return. If an individual's designation exceeds the amount of his or her refund, he or she must include a check with his or her tax return for the difference between the amount of the designation and the amount of the refund. If an individual who makes a contribution has a tax liability or has no tax liability and is due no refund, he or she must include a check for the amount of the designation with his or her tax return.

The bill requires that an amount equal to the total amount of designations received, less the total cost of administering the income tax check-off procedure, be

**BILL**

used to provide grants to eligible persons to conduct breast cancer research projects. Eligible persons include physicians, hospitals, clinical laboratories, and institutions of higher education. The bill requires the Department of Health and Family Services (DHFS) to administer the grant program. The secretary of health and family services must appoint a breast cancer research advisory committee and consult with the committee before promulgating rules and awarding a grant or establishing the eligibility criteria and procedures for the grants. The committee must include representatives of the Wisconsin Chapter of the American Cancer Society.

For further information see the *state and local* 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:*

1           **SECTION 1.** 20.435 (5) (hc) of the statutes is created to read:

2           20.435 (5) (hc) *Breast cancer research grants.* As a continuing appropriation,  
3 from moneys received as amounts designated under s. 71.10 (5f) (b), the net amounts  
4 certified under s. 71.10 (5f) (i), for the purpose of awarding grants under s. 255.055.

5           **SECTION 2.** 20.566 (1) (hp) of the statutes is amended to read:

6           20.566 (1) (hp) *Administration of endangered resources; professional football*  
7 *district; breast cancer research voluntary payments.* The amounts in the schedule for  
8 the payment of all administrative costs, including data processing costs, incurred in  
9 administering ss. 71.10 (5) ~~and, (5e), and (5f)~~ and 71.30 (10). All moneys certified  
10 under ss. 71.10 (5) (h) 1. and 71.30 (10) (h) 1. and the moneys specified for deposit  
11 in this appropriation under s. ss. 71.10 (5) (h) 5., (5e) (h) 4., and (5f) (i) and 71.30 (10)  
12 (i) shall be credited to this appropriation.

13           **SECTION 3.** 71.10 (5f) of the statutes is created to read:

14           71.10 (5f) **BREAST CANCER RESEARCH PROGRAM.** (a) *Definitions.* In this  
15 subsection:

**BILL**

1           1. “Breast cancer research program” means the program under s. 255.055 that  
2 provides grants for breast cancer research and the payment of administrative  
3 expenses related to the administration of this subsection.

4           2. “Department” means the department of revenue.

5           (b) *Voluntary payments.* 1. ‘Designation on return.’ Every individual filing an  
6 income tax return who has a tax liability or is entitled to a tax refund may designate  
7 on the return any amount of additional payment or any amount of a refund due that  
8 individual for the breast cancer research program.

9           2. ‘Designation added to tax owed.’ If the individual owes any tax, the  
10 individual shall remit in full the tax due and the amount designated on the return  
11 for the breast cancer research program when the individual files a tax return.

12           3. ‘Designation deducted from refund.’ Except as provided in par. (d), if the  
13 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80  
14 (3), the department of revenue shall deduct the amount designated on the return for  
15 the breast cancer research program from the amount of the refund.

16           (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails  
17 to remit an amount equal to or in excess of the total of the actual tax due, after error  
18 corrections, and the amount designated on the return for the breast cancer research  
19 program:

20           1. The department shall reduce the designation for the breast cancer research  
21 program to reflect the amount remitted in excess of the actual tax due, after error  
22 corrections, if the individual remitted an amount in excess of the actual tax due, after  
23 error corrections, but less than the total of the actual tax due, after error corrections,  
24 and the amount originally designated on the return for the breast cancer research  
25 program.

**BILL****SECTION 3**

1           2. The designation for the breast cancer research program is void if the  
2 individual remitted an amount equal to or less than the actual tax due, after error  
3 corrections.

4           (d) *Errors; insufficient refund.* If an individual is owed a refund which does not  
5 equal or exceed the amount designated on the return for the breast cancer research  
6 program, after crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections,  
7 the department shall reduce the designation for the breast cancer research program  
8 to reflect the actual amount of the refund that the individual is otherwise owed, after  
9 crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections.

10           (e) *Conditions.* If an individual places any conditions on a designation for the  
11 breast cancer research program, the designation is void.

12           (f) *Void designation.* If a designation for the breast cancer research program  
13 is void, the department shall disregard the designation and determine amounts due,  
14 owed, refunded, and received without regard to the void designation.

15           (g) *Tax return.* The secretary of revenue shall provide a place for the  
16 designations under this subsection on the individual income tax return.

17           (h) *Certification of amounts.* Annually, on or before September 15, the  
18 secretary of revenue shall certify to the department of health and family services, the  
19 department of administration, and the state treasurer:

20           1. The total amount of the administrative costs, including data processing  
21 costs, incurred by the department in administering this subsection during the  
22 previous fiscal year.

23           2. The total amount received from all designations for the breast cancer  
24 research program made by taxpayers during the previous fiscal year.

**BILL**

1           3. The net amount remaining after the administrative costs, including data  
2 processing costs, under subd. 1. are subtracted from the total received under subd.  
3 2.

4           (i) *Appropriations.* From the moneys received from designations for the breast  
5 cancer research program, an amount equal to the sum of administrative expenses,  
6 including data processing costs, certified under par. (h) 1. shall be deposited in the  
7 general fund and credited to the appropriation account under s. 20.566 (1) (hp), and  
8 the net amount remaining that is certified under par. (h) 3. shall be credited to the  
9 appropriation under s. 20.435 (5) (hc).

10           (j) *Amounts subject to refund.* Amounts designated for the breast cancer  
11 research program under this subsection are not subject to refund to the taxpayer  
12 unless the taxpayer submits information to the satisfaction of the department,  
13 within 18 months after the date on which the taxes are due or the date on which the  
14 return is filed, whichever is later, that the amount designated is clearly in error. Any  
15 refund granted by the department under this paragraph shall be deducted from the  
16 moneys received under this subsection in the fiscal year for which the refund is  
17 certified.

18           **SECTION 4.** 255.055 of the statutes is created to read:

19           **255.055 Breast cancer research grant program.** (1) Subject to sub. (2),  
20 from the appropriation under s. 20.435 (5) (hc), the department shall award grants  
21 to eligible persons, including physicians, hospitals, as defined in s. 50.33 (2), clinical  
22 laboratories, and institutions of higher education, as defined in s. 108.02 (18), to  
23 conduct breast cancer research projects. Breast cancer research projects shall  
24 include projects to develop and advance the understanding of the techniques and

**BILL****SECTION 4**

1 modalities that are effective in the early detection, prevention, cure, screening, and  
2 treatment of breast cancer and may include projects that involve clinical trials.

3 (2) The secretary shall, under s. 15.04 (1) (c), appoint a breast cancer  
4 research advisory committee and shall consult with the advisory committee before  
5 awarding any grant under sub. (1). The advisory committee shall include  
6 representatives of the American Cancer Society. Members of the advisory committee  
7 may not receive compensation for serving on the committee but shall be reimbursed  
8 for expenses actually and necessarily incurred in the performance of their duties.

9 (3) After consulting with the breast cancer advisory committee under sub. (2),  
10 the department shall promulgate rules specifying the eligibility criteria and  
11 procedures for awarding grants under sub. (1).

12 **SECTION 5. Initial applicability.**

13 (1) The treatment of section 71.10 (5f) of the statutes first applies to taxable  
14 years beginning on January 1 of the year in which this subsection takes effect, except  
15 that if this subsection takes effect after July 31 the treatment of section 71.10 (5f)  
16 of the statutes first applies to taxable years beginning on January 1 of the year  
17 following the year in which this subsection takes effect.

18 **SECTION 6. Effective dates.** This act takes effect on the day after publication,  
19 except as follows:

20 (1) The treatment of section 255.055 (1) of the statutes takes effect on the first  
21 day of the 3rd month beginning after the date on which the secretary of revenue first  
22 credits the appropriation account under section 20.435 (5) (hc) of the statutes, as  
23 created by this act, as specified under section 71.10 (5f) (i) of the statutes, as created  
24 by this act.

25 (END)

**2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1969/2ins  
MES&DAK:cjs:ch

**INSERT 6-17**

1           **SECTION 1. Nonstatutory provisions.**

2           (1) The department of health and family services shall submit in proposed form  
3           the rules required under section 255.055 (3) of the statutes, as created by this act,  
4           to the legislative council staff under section 227.15 (1) of the statutes no later than  
5           the first day of the 4th month beginning after the effective date of this subsection.





# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

March 14, 2003

### MEMORANDUM

To: Representative Cullen

From: Marc E. Shovers, Senior Legislative Attorney

Re: LRB-1969/2 Individual income tax checkoff for breast cancer research

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY  JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-0129 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.



# State of Wisconsin

LRB

## LEGISLATIVE REFERENCE BUREAU

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STEPHEN R. MILLER  
CHIEF

June 13, 2003

## MEMORANDUM

**To:** Representative Cullen

**From:** Marc E. Shovers, Sr. Legislative Attorney, (608) 266-0129

**Subject:** Technical Memorandum to 2003 AB 351 (LRB-1969/2)

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We received the attached technical memorandum relating to your bill. This copy is for your information and your file. If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

LRB

**MEMORANDUM**

May 22, 2003

**TO:** Marc Shovers  
Legislative Reference Bureau

**FROM:** Dennis Collier  
Department of Revenue

**SUBJECT:** Technical Memorandum on AB 351: Individual Income Tax Checkoff for Breast Cancer Research

Proposed secs. 71.10(5f)(b)3 and (d) provide that refunds are first credited under secs. 71.75(9) and 71.80(3), Wis. Stats. Sec. 71.80(3), Wis. Stats., only refers to crediting overpayments on individual or separate returns. Proposed secs. 71.10(5f)(b)3 and (d) should make a reference to sec. 71.80(3m), Wis. Stats., which refers to crediting overpayments on a joint return.

If you have questions regarding this technical memorandum, please contact Karyn Kriz at (608) 261-8984.