

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-AB211)**

Received: 05/12/2005

Received By: jkreye

Wanted: Today

Identical to LRB:

For: Mark Gottlieb (608) 267-2369

By/Representing: denise

This file may be shown to any legislator: NO

Drafter: jkreye

May Contact:

Addl. Drafters:

Subject: Tax, Other - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Gottlieb@legis.state.wi.us

Carbon copy (CC:) to: joseph.kreye@legis.state.wi.us

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Setoffs against tax refunds; technical changes

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**Instructions:**

See Attached

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**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>
/?	jkreye 05/12/2005	wjackson 05/12/2005		_____			
/1			rschluet 05/12/2005	_____	lemery 05/12/2005	lemery 05/12/2005	

FE Sent For:

<END>

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/?	jkreye	1 Wlj 5/12					

5/12/05  
  
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 <END>

FE Sent For:

## Shovers, Marc

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**From:** Solie, Denise  
**Sent:** Tuesday, May 10, 2005 5:56 PM  
**To:** Shovers, Marc  
**Subject:** FW: AB 211 amendment request

**Importance:** High

Marc,  
When I sent this to Joe, I received an out of office reply that he is gone until Thursday.  
If it winds up being later than that (i.e. next week), could you draft this for us yet this week?  
I'm OK if I get it on Friday. But I need a couple of days before the hearing to walk it around and explain it.  
Thanks!  
denise

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**From:** Solie, Denise  
**Sent:** Tuesday, May 10, 2005 5:50 PM  
**To:** Kreye, Joseph  
**Subject:** AB 211 amendment request  
**Importance:** High

Drafting request for amendment to AB 211

Using AA 2 to AB 211 (LRB0423), draft a simple amendment to the original bill. [We will ask the committee to consider this new amendment instead of AA2. We will ask that AA2 not be taken up.]

Make the two following changes:

1. On lines 4 and 5, delete the words "At the time of each settlement,"
2. Add a new section in this amendment to amend the original bill, as follows:
  2. Page 4, line 24:  
71.935(5) ~~At the time of each settlement, each~~ Each

Rationale for the amendment: The phrase "At the time of each settlement," in (line 4) implies that DOR would charge the debtor for the admin fee on a quarterly basis (when settlement with the agencies and local governments occurs), while the sentence "The department may set off amounts charged to the debtor . . . against any refund owed to the debtor . . ." (lines 7 - 9) implies that the charge to the debtor would occur at the time of the setoff. DOR believes that the two statements appear to be contradictory and has suggested deleting the phrase "At the time of each settlement," from (5). This revision would be necessary in both 71.93 and 71.935.

Timeline: We need the amendment before a public hearing on May 18th  
Please call if you have any questions. Thanks.

**Denise Kuchta Solie**  
JCRAR Committee Clerk  
Rep. Mark Gottlieb  
(608) 267-2369



a0620/1

ASSEMBLY AMENDMENT 2,  
TO 2005 ASSEMBLY BILL 211

in 5-12-05  
Today

May 5, 2005 - Offered by Representatives GOTTLIEB and SEIDEL.

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

2 ✓ 1. Page 4, line 13: after that line insert:

3 "SECTION 3m. 71.93 (5) of the statutes is amended to read:

4 71.93 (5) ~~STATE AGENCY DEBTOR~~ CHARGED FOR COSTS. ~~At the time of each~~

5 settlement, ~~each state agency debtor~~ shall be charged for administration expenses,

6 and the amounts charged shall be credited to the department's appropriation under

7 s. 20.566 (1) (h). The department may set off amounts charged to the debtor under

8 this subsection against any refund owed to the debtor, in the manner provided in sub.

9 (3). Annually on or before November 1, the department shall review its costs

10 incurred during the previous fiscal year in administering state agency setoffs and

11 shall adjust its subsequent charges to each ~~state agency debtor~~ to reflect that

12 experience."

13

(END)

Insert 1-12

Insert 1-12

✓ #, page 4, line 240 delete that line and substitute (1)

≡ 71.935 (5) (1) ↓  
at the time of each settlement of each

~~municipality and county~~ Each debtor (1)

end of insert