

2013 DRAFTING REQUEST

Bill

Received:	1/30/2013	Received By:	jkreye
Wanted:	As time permits	Same as LRB:	-1740
For:	Jerry Petrowski 608-266-2502	By/Representing:	derek
May Contact:		Drafter:	jkreye
Subject:	Tax, Individual - income credit Gambling - lottery	Addl. Drafters:	mglass mshovers

Extra Copies:

Submit via email: YES
 Requester's email: sen.petrowski@legis.wisconsin.gov
 Carbon copy (CC) to: joseph.kreye@legis.wisconsin.gov
 mary.glass@legis.wisconsin.gov
 marc.shovers@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Veterans lottery and property tax credit

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>
/?	jkreye 1/30/2013	evinz 2/6/2013	rschluet 2/6/2013	_____			
/1				_____	srose 2/6/2013	lparisi 3/12/2013	State S&L

FE Sent For:

at
Intro

<END>

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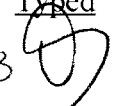
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1?	jkreye	1 rev 2/6/13		_____	_____		
			2013	_____	_____		

FE Sent For:

<END>

Kreye, Joseph

From: Punches, Derek
Sent: Wednesday, January 30, 2013 11:04 AM
To: Kreye, Joseph
Subject: RE: LRB-4347 Draft Revision

My apologies, Joe. Thanks for pointing this out – it seems the difference was the inclusion of the word “projected” – which I missed.

If this is all correct, we don’t need to request any changes. May we please have 11-4347/P2 redrafted for the current session?

Derek Punches
Office of Senator Jerry Petrowski
29th Senate District
(608) 266-2502

From: Kreye, Joseph
Sent: Wednesday, January 30, 2013 11:01 AM
To: Punches, Derek
Subject: RE: LRB-4347 Draft Revision

Derek,

LRB 11-4347/P1 transfers monies based on “projected” (estimated) proceeds, but LRB 11-4347/P2 transfers monies based on the actual proceeds from the previous fiscal year (Section 6 of the bill). So the 2nd version appears to have a “look back” provision.

Please note that if you want a redraft of this bill we’ll have to give it a new number to correspond to the 2013 session.

Joe

Joseph T. Kreye
Senior Legislative Attorney
Legislative Reference Bureau
608 266 2263

From: Punches, Derek
Sent: Wednesday, January 30, 2013 9:07 AM
To: Kreye, Joseph
Subject: LRB-4347 Draft Revision

Good morning Joe,

In taking a closer look at the two drafts you provided us (attached), it appears they are identical to one another. We would like to have an additional draft prepared that would accomplish the below.

The P1 and P2 drafts of LRB-4347 currently do the following:

- Requires DOR to offer a lottery game with a veterans theme
- Refunded veterans and surviving spouses property tax credits are paid from the net lottery proceeds of the game
 - If the amount is insufficient to pay all eligible claims, the credit would be paid from the current law sum sufficient appropriation
- Transfers general purpose revenue, equal to the amount of the veterans property tax credit, to the veterans trust fund

Rather than having the department of administration and JFC estimate the amount to be brought in by the veterans theme lottery game, the P3 draft would transfer no GPR money during the first year and a "look-back" provision would be included to base the expected revenue in subsequent years on the amount raised in the year prior.

Knowing this, do you foresee any constitutional issues with this backdoor approach to using the lottery game?

<< File: 11-4347P1.pdf >> << File: 11-4347P2.pdf >>

Please feel free to contact me with any questions.

Best regards,

Derek

Derek Panches
Office of Senator Jerry Petrowski
29th Senate District
(608) 266-2502

“RESEARCH APPENDIX”

... Drafting History Reproduction Request Form ...



DRAFTING ATTORNEYS: PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN

(Request Made By: MBG) (Date: 2 / 27 / 2013)

Note:

***BOTH DRAFTS SHOULD HAVE THE
SAME “REQUESTOR”***

(exception: companion bills)



Please transfer the drafting file for

2011 LRB -4 347 (For: Rep. / Sen. Petrowski)

to the drafting file for

2013 LRB -1 417 (For: Rep. / Sen. Petrowski)

-----OR-----



Please copy the drafting file for

2013 LRB _____ / _____ (include the version) (For: Rep. / Sen. _____)

and place it in the drafting file for

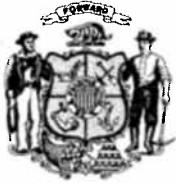
2013 LRB _____ (For: Rep. / Sen. _____)



Are These “Companion Bills” ?? ... Yes No

If yes, who in the initial requestor’s office authorized the copy/transfer of the drafting history

(“guts”) from the original file: _____



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-4347/P2
MES/JK/MGG:eev&kjf:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1417/11

in 1-30-13
PWF
regen

SAVV
xrefV

1 AN ACT *to amend* 20.835 (2) (em), 25.36 (1) and 79.10 (11) (b); and *to create*
2 20.485 (2) (dL), 20.835 (2) (r) and 565.27 (1m) of the statutes; **relating to:**
3 creating a veterans-themed lottery game, changing the primary source of
4 funding for the veterans and surviving spouses property tax credit, and making
5 appropriations.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Revenue (DOR) operates a lottery, the proceeds of which must be used for property tax relief for residents of the state.

Also under current law, the veterans and surviving spouses property tax credit may be claimed by certain U.S. armed forces veterans and by the unremarried surviving spouses of certain veterans or members of the national guard or reserves (collectively, "veterans"). The credit is refundable, meaning that if the amount of credit that may be claimed by a veteran exceeds his or her tax liability, the excess amount of the credit is refunded to the veteran by check. Refunded credits are paid from a sum sufficient appropriation of general purpose revenue.

This bill requires DOR to offer a lottery game with a veterans theme. Under the bill, refunded veterans and surviving spouses property tax credits are paid from the net lottery proceeds of the veterans-themed lottery game created by the bill and, if that amount is insufficient to pay all eligible claims, from the current law sum sufficient appropriation. The bill also transfers general purpose revenue, in an amount equal to the amount of lottery proceeds used to pay the refunded veterans and surviving spouses property tax credits, to the veterans trust fund.

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. 20.485 (2) (dL) of the statutes is created to read:

2 20.485 (2) (dL) *Gaming aids*. From the general fund, a sum sufficient equal
3 to the amount of lottery proceeds attributable to the lottery game under s. 565.27
4 (1m), as determined under s. 565.27 (1m), in each fiscal year, to be transferred to the
5 veterans trust fund.

6 SECTION 2. 20.835 (2) (em) of the statutes is amended to read:

7 20.835 (2) (em) *Veterans and surviving spouses property tax credit*. A sum
8 sufficient to pay the claims approved under s. 71.07 (6e), to the extent that these
9 claims are not paid under par. (r).

10 SECTION 3. 20.835 (2) (r) of the statutes is created to read:

11 20.835 (2) (r) *Veterans and surviving spouses property tax credit; veterans*
12 *lottery proceeds*. From the lottery fund, a sum sufficient equal to the lottery proceeds
13 attributable to the lottery game under s. 565.27 (1m), as determined under s. 565.27
14 (1m), to pay the claims approved under s. 71.07 (6e).

15 SECTION 4. 25.36 (1) of the statutes, as affected by 2011 Wisconsin Act 32, is
16 amended to read:

17 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
18 by law shall constitute the veterans trust fund which shall be used for the lending
19 of money to the mortgage loan repayment fund under s. 45.37 (5) (a) 12. and for the
20 veterans programs under ss. 20.485 (2) (m), (tm), (u), (vy), (w), and (z) and (5) (mn),
21 (v), (vo), and (zm), 45.03 (19), 45.07, 45.20, 45.21, 45.40 (1m), 45.41, 45.42, 45.43, and

1 45.82 and administered by the department of veterans affairs, including all moneys
2 received from the federal government for the benefit of veterans or their dependents;
3 all moneys paid as interest on and repayment of loans under the post-war
4 rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they
5 existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans
6 under this fund; all moneys paid as expenses for, interest on, and repayment of
7 veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid
8 as expenses for, interest on, and repayment of veterans personal loans; the net
9 proceeds from the sale of mortgaged properties related to veterans personal loans;
10 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
11 issuance purchased with moneys in the veterans trust fund; all moneys received from
12 the state investment board under s. 45.42 (8) (b); all moneys received from the
13 veterans mortgage loan repayment fund under s. 45.37 (7) (a) and (c); ~~and~~ all gifts
14 of money received by the board of veterans affairs for the purposes of this fund; and
15 all moneys transferred under s. 20.485 (2) (dL).

16 SECTION 5. 79.10 (11) (b) of the statutes is amended to read:

17 79.10 (11) (b) Before October 16, the department of administration shall
18 determine the total funds available for distribution under the lottery and gaming
19 credit in the following year and shall inform the joint committee on finance of that
20 total. Total funds available for distribution shall be all moneys projected to be
21 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g), and
22 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
23 the distribution, less the amount estimated to be expended under ss. 20.455 (2) (r),
24 20.566 (2) (r), and 20.835 (2) (q) ~~and~~, less the required reserve under s. 20.003 (5),
25 and less the lottery proceeds attributable to the lottery game under s. 565.27 (1m).

1 as determined under s. 565.27 (1m). The joint committee on finance may revise the
2 total amount to be distributed if it does so at a meeting that takes place before
3 November 1. If the joint committee on finance does not schedule a meeting to take
4 place before November 1, the total determined by the department of administration
5 shall be the total amount estimated to be distributed under the lottery and gaming
6 credit in the following year.

7 **SECTION 6.** 565.27 (1m) of the statutes is created to read:

8 565.27 (1m) VETERANS LOTTERY. The department shall offer a lottery game with
9 a veterans theme. Before October 16 of each fiscal year, the department of
10 administration shall determine the amount of lottery proceeds, as defined in s. 25.75
11 (1) (c), for the previous fiscal year that is attributable to the lottery game under this
12 subsection.

13 (END)

Parisi, Lori

From: PUNCHES, DEREK
Sent: Tuesday, March 12, 2013 9:53 AM
To: LRB.Legal
Subject: Draft Review: LRB -1417/1 Topic: Veterans lottery and property tax credit

Please Jacket LRB -1417/1 for the SENATE.