



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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STEPHEN R. MILLER
CHIEF

May 23, 2013

MEMORANDUM

To: Senator Leibham

From: Mark D. Knukel, Sr. Legislative Attorney, (608) 266-0131

Subject: Technical Memorandum to **2013 SB 165** (LRB-2229/1) **by DOR**

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.

MEMORANDUM

May 9, 2013

TO: Mark Kunkel
Legislative Reference Bureau

FROM: Paul Ziegler
Department of Revenue

SUBJECT: Technical Memorandum on SB 165 – relating to the police and fire protection fee imposed on certain communications services.

The Department of Revenue has the following concerns with the bill:

1. The bill does not specify an effective date, making the bill effective the day after publication. This may not provide the department sufficient time to notify businesses or sufficient time for retailers and service providers to modify their billing systems. The department suggests the bill be amended to be effective the first day of the 3rd month beginning after publication.
2. The bill does not specify whether the termination of the police and fire protection fee applies to bills paid after the effective date, bills issued after the effective date, or bills for services that occur in a period after the effective date. The department suggests the bill be amended to apply to bills issued after the effective date.
3. Under current law, s. 25.50(3)(b) identifies funds payable to local governments, including county and municipal aid, as local funds in the local government pooled-investment fund. Section 5 of the bill amends s. 25.50(3)(b) to delete a reference to s. 79.035, which applies to all county and municipal aid, rather than the portion of county and municipal aid paid by the police and fire protection fund. The department recommends the bill be modified to remove the changes to s. 25.50(3)(b) and amend s. 79.035(1) to read as follows:

Each county and municipality shall receive a payment from the county and municipal aid account ~~and from the appropriation account under s. 20.835 (1) (f)~~ in an amount determined under this section.

If you have questions regarding this technical memorandum, please contact Bob Schmidt at (608) 267-9892 or robertk1.schmidt@revenue.wi.gov.

cc: Senator Leibham