

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **06/23/99**

Received By: **nelsorp1**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Walter**

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

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Military Affairs**

Extra Copies:

Pre Topic:

SDC:.....Walter - Caucus #3632,

Topic:

DOT to administer a graduated fee for transporters of hazardous materials and providing grants related to emergency management

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	nelsorp1 06/23/99	wjackson 06/24/99	hhagen 06/24/99 jfrantze 06/25/99	_____	lrb_docadmin 06/26/99		
/2	nelsorp1 06/27/99	wjackson 06/27/99	hhagen 06/27/99	_____	lrb_docadmin 06/28/99		
/3	nelsorp1 06/28/99	wjackson 06/28/99	martykr 06/28/99	_____	lrb_docadmin 06/28/99		

6/28/99 5:49:58 PM
Page 2

FE Sent For:

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/2	nelsorp1 06/27/99	wjackson 06/27/99	hhagen 06/27/99	_____	lrb_docadmin 06/28/99		

13 6/28 WLJ *m 6/28

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6/27
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Topic:

DOT to administer a graduated fee for transporters of hazardous materials and providing grants related to emergency management

Instructions:

See Attached

20.395 (4)(bh) = \$77,100

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?	nelsorp1	1 WJ 6/24	Job 6/25	Jb/R 6/25			

FE Sent For:

<END>

SDC

caucus number 3632

duplicate flag:
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	1997 SB 57 as passed by Senate
LBB draft #	LBB P-draft:

description: Add 1997 SB57 - requiring DOT to adopt and administer a graduated fee on transporters of hazardous materials. Use terms and contents of the bill as passed by the Senate in 1997. Credit revenue collected from the fees to the Segregated Transportation Fund.

other notes

drafting instructions: 1997 SB 57. See above.

more instructions:

Agency: Transportation - Motor Vehicles

Number of Amendments: 5

Set fee so it collects \$700,000 annually,
check 97 SB 57 to see whether it can collect
in 2d year - ok if SB 57 prohibits

(Lance - SDC - 6-2257)

+

Budget amendment request-----6-17-99

Transportation

CN 3632

Add the provisions of 1997 Senate Bill 57 requiring the DOT to adopt and administer a graduated fee on transporters on hazardous materials. Use the terms and contents of the bill as passed by the State Senate in 1997. Credit revenue collected from the fees to the Segregated Transportation Fund. Fiscal effect-----\$700,000 per year



SENATE SUBSTITUTE AMENDMENT, 2
TO 1997 SENATE BILL 57

By joint com. on Finance

1 AN ACT *to repeal* 85.50 (title), 166.20 (7g) and 166.21 (2) (bm); *to renumber and*
2 *amend* 20.395 (4) (bh), 20.465 (3) (jm) and 85.50; *to amend* 20.465 (3) (rp),
3 166.20 (2) (bg), 166.21 (2) (br) and 166.21 (2m) (intro.); and *to create* 341.406
4 of the statutes; **relating to:** hazardous materials transportation registration
5 fees, auditing emergency response teams, emergency planning grants,
6 granting rule-making authority and making an appropriation.

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

7 SECTION 1. 20.395 (4) (bh) of the statutes is renumbered 20.395 (4) (bq) and
8 amended to read:

9 20.395 (4) (bq) (title) *Hazardous materials transportation fees, state funds.*
10 Biennially, ~~from the general fund, from the moneys received from the hazardous~~
11 ~~materials transportation registration fees established under s. 166.20 (7g) and~~

1 341.406 (2) The department shall collect the fees established under ~~s. 166.20~~
2 ~~(7g) sub. (1)~~ to be paid by persons who may be required to file hazardous materials
3 transportation registration statements with the federal department of
4 transportation under 49 USC Appendix 1805 (e) 5108 or who may be required to
5 register with the state under 49 USC 5119.

6 **SECTION 6.** 166.20 (2) (bg) of the statutes is amended to read:

7 166.20 (2) (bg) Promulgate rules establishing an amount not to exceed \$6,000
8 that may be an eligible cost for computers in an emergency planning grant under s.
9 166.21 (2) ~~(bm)~~ (br).

10 **SECTION 7.** 166.20 (7g) of the statutes is repealed.

11 **SECTION 8.** 166.21 (2) (bm) of the statutes is repealed.

12 **SECTION 9.** 166.21 (2) (br) of the statutes is amended to read:

13 166.21 (2) (br) Subject to sub. (2m), ~~for grant applications submitted during the~~
14 ~~period after May 31, 1995, and before September 1, 1997,~~ 80% of the costs of
15 computers and emergency response equipment, but not to exceed \$10,000. In-kind
16 contributions may be used to meet the committee's contribution under this
17 paragraph.

18 **SECTION 10.** 166.21 (2m) (intro.) of the statutes is amended to read:

19 166.21 (2m) STRATEGIC PLAN. (intro.) A committee is eligible for grant funds
20 under sub. (2) ~~(bm)~~ (br) for emergency response equipment only if it submits to the
21 board a strategic plan for emergency response to hazardous substance releases that
22 includes all of the following:

23 **SECTION 11.** 341.406 of the statutes is created to read:

24 **341.406 Uniform hazardous materials transportation plan and fees.**
25 (1) The department shall promulgate rules establishing criteria for the payment of

**SENATE SUBSTITUTE AMENDMENT 2,
TO 1997 SENATE BILL 57**

March 18, 1997 - Offered by JOINT COMMITTEE ON FINANCE.

1 **AN ACT to repeal** 85.50 (title), 166.20 (7g) and 166.21 (2) (bm); **to renumber and**
2 **amend** 20.395 (4) (bh), 20.465 (3) (jm) and 85.50; **to amend** 20.465 (3) (rp),
3 166.20 (2) (bg), 166.21 (2) (br) and 166.21 (2m) (intro.); and **to create** 341.406
4 of the statutes; **relating to:** hazardous materials transportation registration
5 fees, auditing emergency response teams, emergency planning grants,
6 granting rule-making authority and making an appropriation.

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

7 **SECTION 1.** 20.395 (4) (bh) of the statutes is renumbered 20.395 (4) (bq) and
8 amended to read:

9 20.395 (4) (bq) (title) *Hazardous materials transportation fees, state funds.*
10 Biennially, ~~from the general fund, from the moneys received from the hazardous~~
11 ~~materials transportation registration fees established under s. 166.20 (7g) and~~

1 collected under s. 85.50, the amounts in the schedule for the purpose of collecting and
2 administering those the hazardous materials transportation registration fees under
3 s. 341.406.

4 SECTION 2. 20.465 (3) (jm) of the statutes is amended to read:

5 20.465 (3) (jm) *State emergency response board; emergency planning grants.*

6 All moneys received by the state emergency response board from fees assessed under
7 s. 166.20 (7), except moneys appropriated under par. (i) for the payment of grants
8 under s. 166.21, except grants under s. 166.21 (2) (~~bm~~) (br). The secretary of
9 administration shall lapse from this appropriation amounts totaling the amount
10 expended under par. (d) at the times and in the instalments determined by the
11 secretary of administration.

97
Act
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12 SECTION 3. 20.465 (3) (rp) of the statutes is amended to read:

13 20.465 (3) (rp) *Emergency response equipment.* From the transportation fund,
14 the amounts in the schedule for grants for the costs of computers and emergency
15 response equipment under s. 166.21 (2) (~~bm~~) (br). Notwithstanding s. 20.001 (3) (a),
16 the unencumbered balance of this appropriation on June 30 of each year shall be
17 transferred to the appropriation account under par. (rt), except that transfers to the
18 appropriation account under par. (rt) shall cease whenever the balance in the
19 appropriation account under par. (rt) exceeds \$500,000 and shall not recommence
20 until the balance in the appropriation account under par. (rt) is less than \$400,000.
21 No moneys may be transferred from this appropriation account to the appropriation
22 account under par. (rt) after June 30, 1998.

23 SECTION 4. 85.50 (title) of the statutes is repealed.

24 SECTION 5. 85.50 of the statutes is renumbered 341.406 (2) and amended to
25 read:

1 341.406 (2) The department shall collect the fees established under s. 166.20
2 (7g) sub. (1) to be paid by persons who may be required to file hazardous materials
3 transportation registration statements with the federal department of
4 transportation under 49 USC ~~Appendix 1805 (e)~~ 5108 or who may be required to
5 register with the state under 49 USC 5119.

6 **SECTION 6.** 166.20 (2) (bg) of the statutes is amended to read:

7 166.20 (2) (bg) Promulgate rules establishing an amount not to exceed \$6,000
8 that may be an eligible cost for computers in an emergency planning grant under s.
9 166.21 (2) ~~(bm)~~ (br).

10 ~~SECTION 7.~~ 166.20 (7g) of the statutes is ~~repealed.~~

11 ~~SECTION 8.~~ 166.21 (2) (bm) of the statutes is ~~repealed.~~

12 **SECTION 9.** 166.21 (2) (br) of the statutes is amended to read:

13 166.21 ~~(2)~~ (br) Subject to sub. (2m), ~~for grant applications submitted during the~~
14 ~~period after May 31, 1995, and before September 1, 1997, 80% of the costs of~~
15 computers and emergency response equipment, but not to exceed \$10,000. In-kind
16 contributions may be used to meet the committee's contribution under this
17 paragraph.

18 **SECTION 10.** 166.21 (2m) (intro.) of the statutes is amended to read:

19 166.21 (2m) STRATEGIC PLAN. (intro.) A committee is eligible for grant funds
20 under sub. (2) ~~(bm)~~ (br) for emergency response equipment only if it submits to the
21 board a strategic plan for emergency response to hazardous substance releases that
22 includes all of the following:

23 **SECTION 11.** 341.406 of the statutes is created to read:

24 **341.406 Uniform hazardous materials transportation plan and fees.**

25 (1) The department shall promulgate rules establishing criteria for the payment of

Act
29

1 fees by persons who may be required to file hazardous materials transportation
2 registration statements with the federal department of transportation under 49 USC
3 5108 or who may be required to register with the state under 49 USC 5119. The rules
4 promulgated under this subsection shall be consistent with the procedures,
5 limitations and recommendations under 49 USC 5119 and shall provide revenue
6 from the fees paid in an amount ~~that reasonably approximates the amounts~~
7 ~~appropriated from the transportation fund for programs related to hazardous~~
8 ~~substances and for collecting and administering those fees.~~ of \$700,000

9 **SECTION 12. Nonstatutory provisions.**

10 (1) The authorized FTE positions for the department of transportation are
11 decreased by 2.0 PR positions, to reflect the transfer of the appropriation account
12 under section 20.395 (4) (bh) of the statutes to the appropriation account under
13 section 20.395 (4) (bq) of the statutes.

14 (2) The authorized FTE positions for the department of transportation are
15 increased by 2.0 SEG positions, to reflect the transfer of the appropriation account
16 under section 20.395 (4) (bh) of the statutes to the appropriation account under
17 section 20.395 (4) (bq) of the statutes.

18 (3) The joint legislative audit committee is requested to direct the legislative
19 audit bureau to perform a financial and performance evaluation audit of the
20 emergency response teams that respond to Level A releases of hazardous substances,
21 as defined in section 166.20 (1) (ge) (intro.) of the statutes.

22 (4) The department of transportation shall submit in proposed form the rules
23 required under section 341.406 of the statutes, as created by this act, to the
24 legislative council staff under section 227.15 (1) of the statutes no later than June
25 1, 1997.

ASA/ 9131 (19)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1187/1
RPN.../.....
WJ

SDC:.....Walter – Caucus #3632, DOT to administer a graduated fee for transporters of hazardous materials and providing grants related to emergency management

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

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

2 1. Page 181, line 11: after that line insert:

3 “(bq) Hazardous materials transporta-

4 tion fees, state funds SEG B 77,100 77,100”.

SCHED

5 2. Page 332, line 1: delete that line and substitute:

6 “SECTION 354g. 20.395 (4) (bh) of the statutes is renumbered 20.395 (4) (bq) and

7 amended to read:

8 20.395 (4) (bq) *Hazardous materials transportation fees, state funds.*

9 Biennially, ~~from the general fund, from the moneys received from the hazardous~~

1 ~~materials transportation registration fees established under s. 166.20 (7g) and~~
 2 ~~collected under s. 85.50, the amounts in the schedule for the purpose of collecting and~~
 3 ~~administering these the hazardous materials transportation registration fees under~~
 4 ~~s. 341.406.”~~ ↓

History: 1971 c. 40 s. 93; 1971 c. 42. 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255.

5 ↓ **3.** Page 972, line 16: delete that line and substitute:

6 “SECTION 1853d. 85.50 (title) of the statutes is repealed.

7 ↓ **SECTION 1853g.** 85.50 of the statutes is renumbered 341.406 (2) and amended
 8 to read:

9 341.406 (2) The department shall collect the fees established under ~~s. 166.20~~
 10 ~~(7g) sub. (1)~~ ↓ to be paid by persons who may be required to file hazardous materials
 11 transportation registration statements with the federal department of
 12 transportation under 49 USC ~~Appendix 1805 (e) 5108~~ or who may be required to
 13 register with the state under 49 USC 5119.”

History: 1991 a. 104.

14 ↓ **4.** Page 1339, line 3: after that line insert: (insert 1339-3)

15 ↓ **5.** Page 1554, line 12: after that line insert: (insert 1554-12)

16 ↓ **6.** Page 1581, line 9: delete lines 9 to 14 and substitute: (insert 1581-9)

17 (END)

Insert 1339-3

1 341.406 (2) The department shall collect the fees established under s. 166.20
2 ~~(7g) sub. (1)~~ to be paid by persons who may be required to file hazardous materials
3 transportation registration statements with the federal department of
4 transportation under 49 USC ~~Appendix 1805 (e) 5108~~ or who may be required to
5 register with the state under 49 USC 5119.

6 SECTION 6. 166.20 (2) (bg) of the statutes is amended to read:
7 166.20 (2) (bg) Promulgate rules establishing an amount not to exceed \$6,000
8 that may be an eligible cost for computers in an emergency planning grant under s.
9 166.21 (2) ~~(bm) (br).~~

Act 27

10 ~~SECTION 7. 166.20 (7g) of the statutes is repealed.~~

11 ~~SECTION 8. 166.21 (2) (bm) of the statutes is repealed.~~

12 SECTION 9. 166.21 (2) (br) of the statutes is amended to read:
13 166.21 (2) (br) Subject to sub. (2m), ~~for grant applications submitted during the~~
14 ~~period after May 31, 1995, and before September 1, 1997, 80% of the costs of~~
15 computers and emergency response equipment, but not to exceed \$10,000. In-kind
16 contributions may be used to meet the committee's contribution under this
17 paragraph.

18 SECTION 10. 166.21 (2m) (intro.) of the statutes is amended to read:
19 166.21 (2m) STRATEGIC PLAN. (intro.) A committee is eligible for grant funds
20 under sub. (2) ~~(bm) (br)~~ for emergency response equipment only if it submits to the
21 board a strategic plan for emergency response to hazardous substance releases that
22 includes all of the following:

23 ~~SECTION 11.~~ ^{2734 c 6} 341.406 of the statutes is created to read:
24 **341.406 Uniform hazardous materials transportation plan and fees.**
25 (1) The department shall promulgate rules establishing criteria for the payment of

Insert 1339-3

Inserts

insert 1334-3

1 fees by persons who may be required to file hazardous materials transportation
 2 registration statements with the federal department of transportation under 49 USC
 3 5108 or who may be required to register with the state under 49 USC 5119. The rules
 4 promulgated under this subsection shall be consistent with the procedures,
 5 limitations and recommendations under 49 USC 5119 and shall provide revenue
 6 from the fees paid in ~~an~~ ^{the} amount ~~that reasonably approximates the amounts~~
 7 ~~appropriated from the transportation fund for programs related to hazardous~~
 8 ~~substances and for collecting and administering those fees~~ of \$700,000

~~Section 12. Nonstatutory provisions.~~ (CS)

10 ~~(1)~~ ~~(100)~~ ~~HAZARDOUS MATERIALS FEES; POSITION TRANSFERS~~
 11 The authorized FTE positions for the department of transportation are
 12 decreased by 2.0 PR positions, ^{and increased by 2.0 SEG positions} to reflect the transfer of the appropriation account
 13 under section 20.395 (4) (bh) of the statutes to the appropriation account under
 14 section 20.395 (4) (bq) of the statutes.

15 (2) The authorized FTE positions for the department of transportation are
 16 increased by 2.0 SEG positions, to reflect the transfer of the appropriation account
 17 under section 20.395 (4) (bh) of the statutes to the appropriation account under
 18 section 20.395 (4) (bq) of the statutes.

19 (3) The joint legislative audit committee is requested to direct the legislative
 20 audit bureau to perform a financial and performance evaluation audit of the
 21 emergency response teams that respond to Level A releases of hazardous substances,
 22 as defined in section 166.20 (1) (ge) (intro.) of the statutes. (CS)

22 ~~(100)~~ ~~HAZARDOUS MATERIALS FEES; RULES.~~
 23 The department of transportation shall submit in proposed form the rules
 24 required under section 341.406 of the statutes, as created by this act, to the
 25 legislative council staff under section 227.15 (1) of the statutes no later than June
 1, 1997. (1)

insert 1554-12

NONSTATS

*ASA1
9/3/1
(12)*

Insert 1581-9

1
2
3
4
5
6

~~SECTION 13 Appropriation changes.~~ (CS)
" (290) HAZARDOUS MATERIALS TRANSPORTATION REGISTRATION FEES
The unencumbered balance of the appropriation to the department of
transportation under section 20.395 (4) (bh) of the statutes, immediately before the
effective date of this subsection, is transferred to the appropriation account under
section 20.395 (4) (bq) of the statutes, as affected by this act. (10) (2)

(END)

For SDC

ISK 60657

Passenger Railroad Station Improvement Grant Program. Delete a provision of the Joint Committee on Finance's substitute amendment that would provide \$60,000 SEG and \$120,000 SEG-L in 1999-00 for a new, passenger railroad station improvement grant program.

Major Highway Development. Delete \$7,517,100 SEG and provide \$7,517,100 SEG-S (bonding proceeds) in 1999-00 and delete \$1,100,400 SEG and provide \$1,100,400 SEG-S (bonding proceeds) in 2000-01 in the major highway development program, which would maintain the same total funding for the program as the Joint Committee on Finance's substitute amendment, but would fund 55% of the program with bonding proceeds each year. Increase transportation revenue bonding authorization by \$8,617,500 to reflect this modification. Decrease estimated transportation fund revenue by \$103,100 in 1999-00 and \$441,100 in 2000-01 to reflect increased debt service due to the additional bonding.

Driver's License Suspensions for the Failure to Pay Forfeitures. Delete \$657,900 SEG and 2.0 SEG positions annually, which were provided by the Joint Committee on Finance's substitute amendment for processing driver's license suspensions and reinstatements. Eliminate the authority of courts to suspend driver's licenses solely for the failure to pay a forfeiture imposed for violating a local ordinance that is unrelated to the violator's operation of a vehicle, effective with cases adjudicated on the first day of the second month following the effective date of the bill. Decrease estimated transportation fund revenue by \$289,700 in 1999-00 and \$1,158,600 in 2000-01 to reflect a decrease in the number of license reinstatement fees collected.

1187
Frel
dele to
funding for
RPN
fund adm
wst
yck
adm exp
(+ D-note)

Hazardous Materials Transportation Registration. Require DOT to promulgate rules to establish a hazardous materials transportation registration fee structure that is consistent with the procedures, limitations and recommendations developed by the Alliance for Uniform Hazmat Transportation Procedures in cooperation with the Secretary of the U.S. Department of Transportation. This procedure creates a base state registration system that apportions fees to motor carriers based on the carrier's hazardous materials registration activity in participating states. Specify that the rules must establish the fees to initially generate \$700,000 in transportation fund revenue and increase estimated transportation fund revenue by \$700,000 in 2000-01 to reflect this requirement.

draft
checked
ISK

Salvage Vehicle Titles. Allow motor vehicle dealers to transfer the ownership of a salvage vehicle by submitting a properly assigned certificate of title to DOT instead of, under current law, requiring the salvage vehicle dealer to apply for a new certificate of title upon acquiring the vehicle for sale and then executing a title transfer upon the resale of the vehicle. Specify that a salvage dealer would continue to be required to apply for a new salvage vehicle title for a salvage vehicle if the vehicle does not have a salvage vehicle title at the time the vehicle is acquired. Specify that these provisions would first apply to vehicles acquired on the first day of the first month beginning after publication of the bill. Decrease estimated transportation fund revenue by \$45,000 in 1999-00 and \$60,000 in 2000-01 to reflect a reduction in the number of titles issued.

Attachment



State of Wisconsin
1999 - 2000 LEGISLATURE

D-Note

LRBb1187A
RPN:wlj:jf

SDC:.....Walter - Caucus #3632, DOT to administer a graduated fee for transporters of hazardous materials and providing grants related to emergency management

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

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

2 **1.** Page 181, line 11: after that line insert:

3 “(bq) Hazardous materials transporta-

4 tion fees, state funds SEG B 77,100 77,100”.

5 **2.** Page 332, line 1: delete that line and substitute:

6 “SECTION 354g. 20.395 (4)(bh) of the statutes is renumbered 20.395 (4)(bq) and
7 amended to read:

8 20.395 (4) (bq) *Hazardous materials transportation fees, state funds.*

9 Biennially, ~~from the general fund, from the moneys received from the hazardous~~

~~materials transportation registration fees established under s. 166.20 (7g) and collected under s. 85.50, the amounts in the schedule for the purpose of collecting and administering these the hazardous materials transportation registration fees under s. 341.406."~~

3. Page 972, line 16: delete that line and substitute:

"SECTION 1853d. 85.50 (title) of the statutes is repealed.

SECTION 1853g. 85.50 of the statutes is renumbered 341.406 (2) and amended to read:

341.406 (2) The department shall collect the fees established under s. ~~166.20 (7g)~~ sub. (1) to be paid by persons who may be required to file hazardous materials transportation registration statements with the federal department of transportation under 49 USC Appendix 1805 (e) 5108 or who may be required to register with the state under 49 USC 5119."

4. Page 1339, line 3: after that line insert:

"SECTION 2734c. 341.406 of the statutes is created to read:

341.406 Uniform hazardous materials transportation plan and fees.

(1) The department shall promulgate rules establishing criteria for the payment of fees by persons who may be required to file hazardous materials transportation registration statements with the federal department of transportation under 49 USC 5108 or who may be required to register with the state under 49 USC 5119. The rules promulgated under this subsection shall be consistent with the procedures, limitations and recommendations under 49 USC 5119 and shall provide revenue from the fees paid in the amount of \$700,000."

5. Page 1554, line 12: after that line insert:

1 “(10dm) HAZARDOUS MATERIALS FEES; POSITION-TRANSFERS. The authorized FTE
 2 positions for the department of transportation are decreased by 2.0 PR positions and
 3 increased by 2.0 SEG positions, to reflect the transfer of the appropriation account
 4 under section 20.395 (4) (bh) of the statutes to the appropriation account under
 5 section 20.395 (4) (bq) of the statutes.

6 “(11gm) HAZARDOUS MATERIALS FEES; RULES. The department of transportation
 7 shall submit in proposed form the rules required under section 341.406 of the
 8 statutes, as created by this act, to the legislative council staff under section 227.15
 9 (1) of the statutes no later than June 1, 1997.”

10 **6.** Page 1581, line 9: delete lines 9 to 14 and substitute:

11 “(2qm) HAZARDOUS MATERIALS TRANSPORTATION REGISTRATION FEES. The
 12 unencumbered balance of the appropriation to the department of transportation
 13 under section 20.395 (4) (bh) of the statutes, immediately before the effective date
 14 of this subsection, is transferred to the appropriation account under section 20.395
 15 (4) (bq) of the statutes, as affected by this act.”

16

(END)

D- Note

*4x This draft removes funding for
 DOT administrative costs related to
 the haz-mat fees. The LFB
 said the SEC motion did not
 include providing administrative
 costs to DOT. OK?*

RPN

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

LRBb1187/2dn
RPN:wlj:ksh

June 27, 1999

This draft removes funding for DOT administrative costs related to the haz-mat fees. The LFB said the SDC motion did not include providing administrative costs to DOT. OK?

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb11871/3
RPN:wlj:ksh

SDC:.....Walter – Caucus #3632, DOT to administer a graduated fee for transporters of hazardous materials and providing grants related to emergency management

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

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

2 1. Page 972, line 16: delete that line and substitute:

3 “SECTION 1853d. 85.50 (title) of the statutes is repealed.

4 SECTION 1853g. 85.50 of the statutes is renumbered 341.406 (2) and amended

5 to read:

6 341.406 (2) The department shall collect the fees established under s. ~~166.20~~

7 ~~(7g)~~ sub. (1) to be paid by persons who may be required to file hazardous materials

8 transportation registration statements with the federal department of

1 transportation under 49 USC Appendix 1805 (e) 5108 or who may be required to
 2 register with the state under 49 USC 5119.”.

3 **2.** Page 1339, line 3: after that line insert:

4 “SECTION 2734c. 341.406 of the statutes is created to read:

5 **341.406 Uniform hazardous materials transportation plan and fees.**

6 (1) The department shall promulgate rules establishing criteria for the payment of
 7 fees by persons who may be required to file hazardous materials transportation
 8 registration statements with the federal department of transportation under 49 USC
 9 5108 or who may be required to register with the state under 49 USC 5119. The rules
 10 promulgated under this subsection shall be consistent with the procedures,
 11 ~~limitations and recommendations under 49 USC 5119 and shall provide~~ *The department shall design the rules so that*
 12 *in fiscal year 2000-01 are approximately* revenue
 from the fees paid ~~in the amount of~~ *approximately* \$700,000.”.

13 **3.** Page 1554, line 12: after that line insert:

14 “(11gm) HAZARDOUS MATERIALS FEES; RULES. The department of transportation
 15 shall submit in proposed form the rules required under section 341.406 of the
 16 statutes, as created by this act, to the legislative council staff under section 227.15
 17 (1) of the statutes ~~no later than June 1, 1997.~~”.

18 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb1187/3
RPN:wlj:km

SDC:.....Walter – Caucus #3632, DOT to administer a graduated fee for transporters of hazardous materials and providing grants related to emergency management

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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11 limitations and recommendations under 49 USC 5119. The department shall design
12 the rules so that revenue from the fees paid in fiscal year 2000–01 are approximately
13 \$700,000.”

14 (END)