



State of Wisconsin
1997 - 1998 LEGISLATURE

LRBs0066/2
RPN:kmg:kat

**SENATE SUBSTITUTE AMENDMENT 1,
TO 1997 SENATE BILL 57**

February 25, 1997 - Offered by COMMITTEE ON LABOR, TRANSPORTATION AND
FINANCIAL INSTITUTIONS.

1 **AN ACT to repeal** 85.50 (title) and 166.20 (7g); **to renumber and amend** 20.395
2 (4) (bh) and 85.50; and **to create** 341.406 of the statutes; **relating to:**
3 hazardous materials transportation registration fees, granting rule-making
4 authority and making an appropriation.

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

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

7 20.395 (4) (bq) (title) *Hazardous materials transportation fees, state funds.*
8 Biennially, ~~from the general fund,~~ from the moneys received from the hazardous
9 materials transportation registration fees ~~established under s. 166.20 (7g) and~~
10 collected under s. ~~85.50~~ 341.406, the amounts in the schedule for the purpose of
11 administering those fees.

12 **SECTION 2.** 85.50 (title) of the statutes is repealed.

1 **SECTION 3.** 85.50 of the statutes is renumbered 341.406 (2) and amended to
2 read:

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

8 **SECTION 4.** 166.20 (7g) of the statutes is repealed.

9 **SECTION 5.** 341.406 of the statutes is created to read:

10 **341.406 Uniform hazardous materials transportation plan and fees.**

11 **(1)** The department shall promulgate rules establishing criteria for the payment of
12 fees by persons who may be required to file hazardous materials transportation
13 registration statements with the federal department of transportation under 49 USC
14 5108 or who may be required to register with the state under 49 USC 5119. The rules
15 promulgated under this subsection shall be consistent with the procedures,
16 limitations and recommendations under 49 USC 5119 and shall provide revenue
17 from the fees paid in an amount that reasonably approximates the amounts
18 appropriated from the transportation fund for programs related to hazardous
19 substances and for collecting and administering those fees.

20 **SECTION 6. Nonstatutory provisions.**

21 **(1)** The authorized FTE positions for the department of transportation are
22 decreased by 2.0 PR positions, to reflect the transfer of the appropriation account
23 under section 20.395 (4) (bh) of the statutes to the appropriation account under
24 section 20.395 (4) (bq) of the statutes.

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

5 **SECTION 7. Appropriation changes.**

6 (1) The unencumbered balance of the appropriation to the department of
7 transportation under section 20.395 (4) (bh) of the statutes, immediately before the
8 effective date of this subsection, is transferred to the appropriation account under
9 section 20.395 (4) (bq) of the statutes, as affected by this act.

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(END)