



**SENATE AMENDMENT 12,
TO SENATE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 557**

November 7, 1995 - Offered by Senator WINEKE.

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

2 **1.** Page 1, line 2: delete "1." and substitute:

3 "1d. Page 2, line 21: after the semicolon insert: "the rates for the motor vehicle
4 fuel tax and the alternate fuels tax;"

5 1m."

6 **2.** Page 3, line 12: before the period insert: "; and increase the dollar amount
7 for fiscal year 1995-96 by \$1,294,600 to increase funding for the purposes for which
8 the appropriation is made".

9 **3.** Page 3, line 15: before the period insert: "; and increase the dollar amount
10 for fiscal year 1995-96 by \$34,807,400 to increase funding for the improvement of
11 state trunk highways; and increase the dollar amount for fiscal year 1995-96 by
12 \$25,349,000 and increase the dollar amount for fiscal year 1996-97 by \$37,949,000
13 to increase funding for highway resurfacing or bridge repair on the East-West
14 Freeway from downtown Milwaukee to Waukesha".

1 **4.** Page 3, line 18: before the period insert: “; and increase the dollar amount
2 for fiscal year 1995–96 by \$652,800 to increase funding for the maintenance and
3 repair of state trunk highways”.

4 **5.** Page 4, line 3: before the period insert: “; and increase the dollar amount
5 for fiscal year 1995–96 by \$240,000 to increase funding for the purposes for which
6 the appropriation is made”.

7 **6.** Page 7, line 6: after that line insert:

8 “31m. Page 27, line 17: after that line insert:

9 “**SECTION 44m.** 78.017 of the statutes is created to read:

10 **78.017 Adjustment in 1995.** On December 1, 1995, the rate of the tax imposed
11 under s. 78.01 (1) is increased by 1.6 cents.

12 **SECTION 45g.** 78.12 (4) (a) 4. of the statutes is amended to read:

13 78.12 (4) (a) 4. Multiply the number of gallons under subd. 3. by the rate under
14 s. 78.015 as increased under s. 78.017.

15 **SECTION 45r.** 78.12 (4) (b) 2. of the statutes is amended to read:

16 78.12 (4) (b) 2. Multiply the number of gallons under subd. 1. by the rate under
17 s. 78.015 as increased under s. 78.017.”.

18 31r. Page 28, line 6: after that line insert:

19 “**SECTION 47g.** 78.40 (1) of the statutes, as affected by 1995 Wisconsin Act
20 (this act), is repealed and recreated to read:

21 78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate
22 determined under ss. 78.405 and 78.407 is imposed on the use of alternate fuels. The
23 tax, with respect to all alternate fuel delivered by an alternate fuel dealer into supply
24 tanks of motor vehicles in this state, attaches at the time of delivery and shall be

1 collected by the dealer from the alternate fuels user and shall be paid to the
2 department. The tax, with respect to alternate fuels acquired by any alternate fuels
3 user other than by delivery by an alternate fuel dealer into a fuel supply tank of a
4 motor vehicle, or of a snowmobile, an all-terrain vehicle that is not registered for
5 private use under s. 23.33 (2) (d) or a recreational motorboat, attaches at the time of
6 the use of the fuel and shall be paid to the department by the user. The department
7 may permit any supplier of alternate fuels to report and pay to the department the
8 tax on alternate fuels delivered into the storage facility of an alternate fuels user or
9 retailer which will be consumed for alternate fuels tax purposes or sold at retail.

10 **SECTION 47r.** 78.407 of the statutes is created to read:

11 **78.407 Adjustment in 1995.** On December 1, 1995, the rate of the tax imposed
12 under s. 78.40 (1) is increased by 1.6 cents.”.”.

13 **7.** Page 8, line 15: after that line insert:

14 “37r. Page 32, line 18: delete the material beginning with that line and ending
15 with the period on page 33, line 11.

16 37u. Page 33, line 15: delete the material beginning with the comma and ending
17 with “Waukesha” on line 17.”.

18 **8.** Page 14, line 19: after that line insert:

19 “60m. Page 80, line 22: after that line insert:

20 “(4g) CERTIFICATION OF AMOUNT OF FEDERAL HIGHWAY AID. By March 31, 1996, the
21 department of transportation shall submit a report to the members of the joint
22 committee on finance certifying the amount of federal highway aid available to this
23 state for federal fiscal year 1995-96. If the amount of federal highway aid certified
24 under this subsection is more than \$314,000,000, an amount equal to the difference

1 between the amount of federal highway aid certified under this subsection and
2 \$314,000,000 shall lapse from the appropriation account under section 20.395 (3) (cq)
3 of the statutes, as affected by this act, to the transportation fund and an amount of
4 federal highway aid equal to the amount lapsed to the transportation fund under this
5 subsection shall be used for the purposes specified under section 20.395 (3) (cx) of the
6 statutes, as affected by this act.”.”.

7 **9.** Page 16, line 5: after that line insert:

8 “62m. Page 81, line 10: after that line insert:

9 “(6j) CALCULATION OF RATE. The department of transportation shall determine
10 the rate for calculating the amount due under section 341.45 (1g) (a) of the statutes,
11 as affected by this act, for the 4th quarter of 1995 by adding the rates for the taxes
12 under chapter 78 of the statutes, as affected by this act, and the fee under section
13 168.12 of the statutes for each of the months in the quarter, by adding the 3 total rates
14 and by dividing that total by 3.”.”.

15 **10.** Page 17, line 2: after that line insert:

16 “66m. Page 85, line 2: after that line insert:

17 “(9vg) FUEL TAX RATES. The repeal and recreation of section 78.40 (1) of the
18 statutes takes effect on December 1, 1995.”.”.

19 **(END)**