

1999 DRAFTING REQUEST

Bill

Received: **03/28/2000**

Received By: **jkreye**

Wanted: **Today**

Identical to LRB:

For: **Jeffrey Plale (608) 266-0610**

By/Representing: **traci**

This file may be shown to any legislator: NO

Drafter: **jkreye**

May Contact:

Alt. Drafters:

Subject: **Tax - utilities**

Extra Copies: **PEN**

Pre Topic:

No specific pre topic given

Topic:

Hub facility grant

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>Reauired</u>
/?	jkreye 03/28/2000	gilfokm 03/28/2000		_____			State
/1			jfrantze 03/28/2000	_____	lrb-docadmin 03/28/2000	lrb-docadmin 03/28/2000	
				_____	lrb_docadmin 03/28/2000		

FE Sent For:

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603-31-00

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2011年11月10日
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1/?	jkreye	1-3/28 KMG	2/3/28	6/28 3/28			

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2-28-2000

Rep. Klose — ~~ASA~~ — grant for Midwest Express
new bill ————— # only.

Trevi.

4836/1

stays

1999 BILL

3-28-2000

Today

WFO:
Check a.r.

Left

1 **AN ACT to repeal** 20.395 (2) (dq); **to amend** 20.395 (4) (aq), 20.395 (9) (rd) and
 2 20.395 (9) (td); **and to create** 20.395 (2) (dr) and 114.41 of the statutes; **relating**
 3 **to:** financial assistance for an air carrier that operates from a hub facility,
 4 creating an airport financing committee, granting rule-making authority and
 5 making appropriations.

Analysis by the Legislative Reference Bureau

This bill creates a grant program administered by the department of transportation to award grants totaling \$1,500,000 annually to air carriers having a hub facility in this state. The bill defines "air carrier" as any person engaged in the business of transportation in aircraft of persons or property for hire on regularly scheduled flights. The bill defines "hub facility" as ~~a facility at an airport from which an air carrier company operated at least 45 common carrier departing flights each weekday in the prior year and from which it transported passengers to at least 15 nonstop destinations, or as an airport or any combination of airports in this state from which an air carrier company cumulatively operated at least 20 common carrier departing flights each weekday in the prior year, if the air carrier company's headquarters are in this state.~~

Under current law, revenues derived from aeronautics activities in this state, including moneys received from taxes on air carrier companies, from aircraft registration fees and from general aviation fuel taxes, are deposited in the segregated transportation fund. Aeronautics activities are funded from a sum certain appropriation in the segregated transportation fund.

BILL

Beginning on July 1, 2003, this bill directs all revenues derived from aeronautics activities that are currently deposited in the transportation fund to a new appropriation. Aeronautics activities are funded from these receipts, instead of from a sum certain appropriation.

Finally, the bill creates an airport financing committee consisting of members appointed by the governor. The bill requires the committee to review and evaluate this state's airport system needs and the current system of funding those needs and to recommend changes, if any, to better meet those needs. The bill requires the committee to submit a report not later than December 31, 2000, to the legislature and to the governor containing the committee's evaluation, findings and recommendations. The committee's recommendations, if any, should, if enacted, generate revenue in amounts equal to or greater than the sum of moneys appropriated for aeronautical activities in fiscal year 2001.

For further information see the **state** 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.** 20.395 (2) (dq) of the statutes, as affected by 1999 Wisconsin Act 9,
2 is repealed.

3 **SECTION 2.** 20.395 (2) (dr) of the statutes is created to read:

4 **20.395 (2) (dr) Aeronautical activities, state funds.** All moneys received from
5 taxes on air carrier companies under ch. 76, from aircraft registration fees under s.
6 114.20, from general aviation fuel taxes under **subch. III** of ch. 78 and from any other
7 tax or fee received from an aeronautical activity and deposited in the transportation
8 fund, except moneys appropriated under pars. (dv) and (dx) and sub. (4) (es), and all
9 moneys transferred under 1999 Wisconsin Act ... (this act), section 8 (l), for the
10 purposes of the state's share of airport projects under ss. 114.34 and 114.35; for
11 developing air marking and other air navigational facilities; for administration of the
12 powers and duties of the secretary of transportation under **s. 114.31; for costs**
13 associated with aeronautical activities under **s. 114.31, except for** the program under
14 **s. 114.31 (3) (b); for awarding grants under s. 114.41; and for the administration of**

20.395

BILL

1 other aeronautical activities, except aircraft registration under s. 114.20, authorized
2 by law.

3 **SECTION 3.** 20.395 (4) (aq) of the statutes is amended to read:

4 **20.395 (4) (aq) *Departmental management and operations, state funds.*** The
5 amounts in the schedule for departmental planning and administrative activities
6 and the administration and management of departmental programs except those
7 programs under subs. (2) (bq), (cq) and ~~(dq)~~ (dr) and (3) (iq), including those activities
8 in s. 85.07 and including not less than \$220,000 in each fiscal year to reimburse the
9 department of justice for legal services provided the department under s. 165.25 (4)
10 (a) and including activities related to the demand management and ride-sharing
11 program under s. 85.24 that are not funded from the appropriation under sub. (1)
12 (bs), (bv) or (bx), the minority civil engineer scholarship and loan repayment
13 incentive grant program under s. 85.107, the Type 1 motorcycle, moped and motor
14 bicycle safety program under s. 85.30 and to match federal funds for mass transit
15 planning.

16 **SECTION 4.** 20.395 (9) (rd) of the statutes is amended to read:

17 **20.395 (9) (rd) *Airport construction major cost carry-over.*** When an airport
18 development project is approved by the governor under s. 114.33 (3), the moneys
19 allocated for the project from sub. (2) ~~(dq)~~ (dr) shall be considered encumbered and
20 carried-over to subsequent years to meet the state's share of the project.

21 **SECTION 5.** 20.395 (9) (td) of the statutes, as affected by 1999 Wisconsin Act 9,
22 is amended to read:

23 **20.395 (9) (td) *Real estate major cost carry-over.*** Subject to s. 86.255, when a
24 highway, airport or railroad land acquisition project is approved by the secretary

BILL

1 under s. 84.09, 85.09 or 114.33, the moneys allocated for the project from subs. (2)
2 (bq), ~~(dq)~~ (dr) and (eq) and (3) (bq), (cq) and (eq) may be considered encumbered.

3 SECTION 6. 114.41 of the statutes is created to read:

4 **114.41 Air carrier hub facility grant program. (1)** In this section:

5 (a) "Air carrier company" means any person engaged in the business of
6 transportation in aircraft of persons or property for hire on regularly scheduled
7 flights. In this paragraph, "aircraft" has the meaning given in s. 76.02 (1).

8 (b) "Hub facility" means ~~any of the following:~~

9 ^a ~~1. A~~ facility at an airport from which an air carrier company operated at least
10 45 common carrier departing flights each weekday in the prior year and from which
11 it transported passengers to at least 15 nonstop destinations, as defined by rule by
12 the department of revenue, or transported cargo to nonstop destinations, as defined
13 by rule by the department of revenue.

14 2. An airport or any combination of airports in this state from which an air
15 carrier company cumulatively operated at least 20 common carrier departing flights
16 each weekday in the prior year, if the air carrier company's headquarters, as defined
17 by rule by the department of revenue, is in this state.

18 (2) The department of transportation shall administer an air carrier hub
19 facility grant program. On July 1, 2003, and each July 1 thereafter, the department
20 shall award grants totaling \$1,500,000 to any air carrier having a hub facility in this
21 state. Grants under this section shall be paid from the appropriation under s. 20.395
22 (2) (dr).

23 **SECTION 7. Nonstatutory provisions.**

24 (1) AIRPORT FINANCING COMMITTEE. There is created an airport financing
25 committee consisting of members appointed by the governor. The governor shall

BILL

1 appoint members representing the department of transportation, the department of
2 commerce, airport managers, airlines serving this state, the general aviation
3 community, the people of this state, and private businesses having an interest in
4 transportation policy and financing. The committee shall review and evaluate this
5 state's airport system needs and the current system of funding those needs and shall
6 recommend changes, if any, to better meet those needs. The committee shall
7 evaluate, among other things: aircraft registration fees; aviation fuel taxes and fees;
8 allocation of sales tax receipts from the sale of aircraft, parts and services to the
9 appropriation account under section 20.395 (2) (dr) of the statutes, as created by this
10 act, and allocation of other moneys to that appropriation account. The committee's
11 recommendations, if any, should, if enacted, generate revenue in amounts equal to
12 or greater than the sum of moneys appropriated for aeronautical activities in fiscal
13 year 2001. Not later than December 31, 2000, the committee shall submit a report
14 containing the committee's evaluation, findings and recommendations to the
15 governor, and to the legislature in the manner provided under section 13.172 (2) of
16 the statutes.

SECTION 8. Appropriation changes.

17
18 (1) The unencumbered balance of the appropriation to the department of
19 transportation under section 20.395 (2) (dq) of the statutes immediately before the
20 effective date of this subsection is transferred to the appropriation account under
21 section 20.395 (2) (dr) of the statutes, as created by this act.

SECTION 9. Initial applicability.

22
23 (1) **REVENUES RECEIVED FROM AD VALOREM TAX ON AIR CARRIERS.** The treatment of
24 section 20.395 (2) (dr) of the statutes first applies to moneys received from taxes and
25 fees on July 1, 2003.

BILL

1 **SECTION 10. Effective dates.** This act takes effect on the day **after** publication,
2 except as follows:

3 (1) The treatment of section 20.395 (2) **(dq)** and **(dr)**, (4) **(aq)** and (9) **(rd)** and
4 **(td)** of the statutes and **SECTION 8 (1)** of this act take effect on July 1, 2003.

5

(END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 03/28/2000

To: Representative Plale

Relating to LRB drafting number: LIB-4836

Topic

Hub facility grant

Subject(s)

Tax - utilities

1. JACKET the draft for introduction _____
in the **Senate** _____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. REDRAFT. See the changes indicated or attached _____
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____
If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Joseph T. Kreye, Legislative Attorney
Telephone: (608) 266-2263