

**2003 DRAFTING REQUEST**

**Bill**

Received: **01/27/2003**

Received By: **phurley**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Grinde**

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

Drafter: **phurley**

May Contact:

Addl. Drafters: **agary**

Subject: **Transportation - miscellaneous**

Extra Copies: **ARG, TNF**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

---

**Pre Topic:**

DOA:.....Grinde - BB0436,

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**Topic:**

Pledge various fee revenues toward revenue bond debt service for transportation projects

---

**Instructions:**

See Attached

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**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>
/?				_____			State
/1	phurley 01/28/2003 agary 01/28/2003 phurley	kgilfoy 01/28/2003	jfrantze 01/29/2003	_____	sbasford 01/29/2003		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	01/28/2003			_____			
/2	phurley 01/29/2003	kgilfoy 01/29/2003	rschluet 01/30/2003	_____	lemery 01/30/2003		State
/3	agary 01/31/2003	kgilfoy 02/01/2003	chaugen 02/01/2003	_____	sbasford 02/03/2003		

FE Sent For:

<END>

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*RAC*

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/1	phurley 01/28/2003 agary 01/28/2003 phurley	kgilfoy 01/28/2003 <i>13-21/03</i> <i>King</i>	jfrantze 01/29/2003 <i>ch</i> <i>2-1</i>	<i>ch</i> <i>2-1</i> <i>pas</i>	sbasford 01/29/2003		State

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/2	phurley 01/29/2003	kgilfoy 01/29/2003	rschluet 01/30/2003	_____	lemery 01/30/2003		

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/?							State
/1	phurley 01/28/2003 agary 01/28/2003 phurley	kgilfoy 01/28/2003 <i>12-1/29</i> <i>Kmg</i>	jfrantze 01/29/2003 <i>[Signature]</i>	<i>[Signature]</i> <i>1-30-3</i>	sbasford 01/29/2003		

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

01/28/2003

\_\_\_\_\_

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Addl. Drafters: **agary**

Subject: **Transportation - miscellaneous**

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DOA:.....Grinde - BB-0436,

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**Topic:**

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**Instructions:**

See Attached

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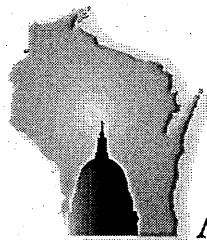
**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?		11-1/28	Jo	Self			State
/1	phurley 01/28/2003 agary	mg	Jo 1/29	1/29			

FE Sent For:

<END>

PJH?  
ARG



**WISCONSIN DEPARTMENT OF  
ADMINISTRATION**

**JAMES E. DOYLE**  
GOVERNOR  
**MARC J. MAROTTA**  
SECRETARY

Division of Executive Budget and Finance  
Post Office Box 7864  
Madison, WI 53707-7864  
Voice (608) 266-1736  
Fax (608) 267-0372  
TTY (608) 267-9629

**Date:** January 24, 2003  
**To:** Stephen R. Miller, Chief  
Legislative Reference Bureau  
**From:** Kirsten Grinde *[Signature]*  
Team Leader  
ECR Team  
**Subject:** **Biennial Budget Drafting Request**  
Agency 395 – Department of Transportation (DOT)

*BBO 2/36*

Budget Office Request Title:

Pledge Various Fee Revenues toward Transportation Revenue Bond Debt Service

Request Description:

Add revenues generated by the fees collected under the statutes listed below to the revenue sources pledged to pay debt service on revenue bonding obligations for transportation projects.

- s. 342.14 (excluding (1r)), Titling;
- s. 341.145 (3), Personalized Plate Fees;
- s. 341.255 (1), Fast Service Fee;
- s. 341.255 (2) (b) and (c), Counter Service Fees;
- s. 341.255 (5), Registration Late Fees;
- s. 341.14/ Special Plate Fees issued under this section;

and other fees collected under s. 341.255 thru s. 341.308.

Please let me know if you have any questions or need more information. I can be contacted at 6-1040 or [kirsten.grinde@doa.state.wi.us](mailto:kirsten.grinde@doa.state.wi.us).



**Hurley, Peggy**

**From:** Peacock, Joshua  
**Sent:** Tuesday, January 28, 2003 2:05 PM  
**To:** Hurley, Peggy  
**Cc:** Morehouse, Alice; Hammer, Paul; Schad, Jay; Baetsen, Karen; Grinde, Kirsten  
**Subject:** RE: Expanding Pledged Revenues

In addition to the first five stat. references noted below, please note the following additional stat references to include under the proposal to expand the pledged registration related Transportation Revenue Bonds.

- |                        |                       |                      |                        |
|------------------------|-----------------------|----------------------|------------------------|
| s. 341.14 (2) ✓        | s. 341.255 (2) a ✓    | s. 341.26 (7) ✓      | s. 341.09 (2m) (a) 1 ✓ |
| s. 341.14 (2m) ✓       | s. 341.26 (1) ✓       | s. 341.264 (1) ✓     | s. 341.09 (4) ✓        |
| s. 341.14 (6) (d) ✓    | s. 341.26 (2) ✓       | s. 341.265 (1) ✓     | s. 341.09 (7) ✓        |
| s. 341.14 (a) (6m) ✓   | s. 341.26 (2m) (am) ✓ | s. 341.266 (2) (b) ✓ | s. 341.16 (1) (a) ✓    |
| s. 341.14 (6r) (b) 2 ✓ | s. 341.26 (3) ✓       | s. 341.266 (3) ✓     | s. 341.16 (1) (b) ✓    |
| s. 341.14 (6r) (b) 3 ✓ | s. 341.26 3m) ✓       | s. 341.268 (2) (b) ✓ | s. 341.16 (2) ✓        |
| s. 341.14 (6w) ✓       | s. 341.26 (4) ✓       | s. 341.268 (3) ✓     | s. 341.16 (2m) ✓       |
| s. 341.14 (8) ✓        | s. 341.26 (5) ✓       | s. 341.09 (2) (d) ✓  |                        |

In addition, it is unclear to me whether we need to reference those vehicles that are allowed to register on a basis other than annual.

This would include s. 341.297; 341.30; 341.305; 341.308

Please call if you have any questions. Joshua Peacock 4-8715

-----Original Message-----

*no included  
341.25*

**From:** Peacock, Joshua *(3) 4-8715*

**Sent:** Friday, January 24, 2003 3:54 PM *(3) 4-8715*

**To:** Grinde, Kirsten *(3)*

**Cc:** Morehouse, Alice; Hammer, Paul; Schad, Jay; Baetsen, Karen

**Subject:** Expanding Pledged Revenues

Kirsten,

As a general rule of thumb, our counsel recommends that instructions to LRB for statutory changes should describe what the agency is trying to accomplish and then allow LRB to draft the recommended changes to the statutes. To that end, what DOT is trying to accomplish is to expand those registration revenues that are pledged to repay Transportation Revenue Bond holders to include all vehicle registration revenues collected by the agency (including titling and certain types of special transaction fees). This would include, but not be limited to the following statutory references:

- s. 342.14 (excluding (1r)), Titling;
  - s. 341.145 (3), Personalized Plate Fees;
  - s. 341.255 (1), Fast Service Fee;
  - s. 341.255 (2) (b) and (c), Counter Service Fees;
  - s. 341.255 (5), Registration Late Fees;
  - s. 341.14, Special Plate Fees issued under this section;
- and other fees collected under s. 341.255 thru s. 341.308.

Any questions, please give me a call.....Joshua 4-8715.



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1772/1  
PJH & ARG: King

DOA:.....Grinde - BB-0436, Pledge various fee revenues toward revenue bond debt service for transportation projects

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT <sup>DON'T GEN. CAT</sup> ...; relating to: the budget <sup>V</sup>

---

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities. DOT may deposit in a special trust fund vehicle registration fee revenues pledged for the repayment of these revenue bonds. Moneys pledged in excess of the amount needed for repayment of these revenue bonds are transferred back to the transportation fund, free of any pledge.

This bill allows DOT to pledge revenues from titling fees, personalized plate fees, fast service fees, counter service fees, late registration fees, and special plate fees for the repayment of revenue bonds in the same manner as is allowed for vehicle registration fee revenues.

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:***

SECTION 1. 25.40 (1) (a) 3. of the statutes is amended to read:

25.40 (1) (a) 3. Revenues collected under s. 341.25 ss. 341.09 (2m) (a) 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (b), (2), and (2m), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), and 342.14 ~~except s. 342.14~~

~~that~~ that are pledged to the fund created under s. 84.59 (2).

SECTION 2. 84.59 (2) of the statutes is amended to read:

84.59 (2) The department may, under s. 18.561 or 18.562, deposit in a separate and distinct fund outside the state treasury, in an account maintained by a trustee, revenues derived under s. 341.25 ss. 341.09 (2m) (a) 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (b), (2), and (2m), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), and 342.14 ~~except s. 342.14~~ <sup>plain period</sup> The revenues deposited are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section.

(END)

*except s. 342.14 (1r)*

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

LRB-1772/1dn  
PJH & ARG: /.....

ATTN: Kirsten Grinde

The attached draft specifies certain transportation fund revenues that are pledged for repayment of revenue bonds, in accordance with the original drafting instructions and supplemental instructions from DOT. However, the attached draft excludes revenues collected under s. 341.14 (6r) (b) 3. because the fees collected under this provision are deposited into the general fund, not the transportation fund.

The attached draft includes fees collected under s. 342.14 (3m), which we understand remain in the transportation fund even though a matching amount is transferred from the general fund to the environmental fund. (See ss. 20.855 (4) (f) and 85.037.)

Peggy Hurley  
Legislative Attorney  
Phone: (608) 266-8906  
E-mail: [peggy.hurley@legis.state.wi.us](mailto:peggy.hurley@legis.state.wi.us)

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

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

LRB-1772/1dn  
PJH&ARG:kmg:jf

January 29, 2003

ATTN: Kirsten Grinde

The attached draft specifies certain transportation fund revenues that are pledged for repayment of revenue bonds, in accordance with the original drafting instructions and supplemental instructions from DOT. However, the attached draft excludes revenues collected under s. 341.14 (6r) (b) 3. because the fees collected under this provision are deposited into the general fund, not the transportation fund.

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Peggy Hurley  
Legislative Attorney  
Phone: (608) 266-8906  
E-mail: [peggy.hurley@legis.state.wi.us](mailto:peggy.hurley@legis.state.wi.us)

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-17727-2  
PJH&ARG:kmgjif

DOA:.....Grinde – BB-0436, Pledge various fee revenues toward revenue bond debt service for transportation projects

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

D note

1 AN ACT <sup>DON'T GEN. CAT.</sup> ..., relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities. DOT may deposit in a special trust fund vehicle registration fee revenues pledged for the repayment of these revenue bonds. Moneys pledged in excess of the amount needed for repayment of these revenue bonds are transferred back to the transportation fund, free of any pledge.

This bill allows DOT to pledge revenues from titling fees, personalized plate fees, fast service fees, counter service fees, late registration fees, and special plate fees for the repayment of revenue bonds in the same manner as is allowed for vehicle registration fee revenues.

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:***

SECTION 1

1 SECTION 1. 25.40 (1) (a) 3. of the statutes is amended to read:

2 25.40 (1) (a) 3. Revenues collected under s. ~~341.25 ss. 341.09~~ <sup>(2)(d)</sup> (2m) (a) 1., (4), and  
3 (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1)  
4 (b), (2), and (2m), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m)  
5 (am), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3),  
6 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), and 342.14, except s.  
7 342.14 (1r), that are pledged to the fund created under s. 84.59 (2).

8 SECTION 2. 84.59 (2) of the statutes is amended to read:

9 84.59 (2) The department may, under s. 18.561 or 18.562, deposit in a separate <sup>(2)(d)</sup>  
10 and distinct fund outside the state treasury, in an account maintained by a trustee,  
11 revenues derived under s. ~~341.25 ss. 341.09~~ <sup>(2)(d)</sup> (2m) (a) 1., (4), and (7), 341.14 (2), (2m),  
12 (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1)  
13 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am), (3), (3m),  
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15 (3), 341.30 (3), 341.305 (3), 341.308 (3), and 342.14, except s. 342.14 (1r). The  
16 revenues deposited are the trustee's revenues in accordance with the agreement  
17 between this state and the trustee or in accordance with the resolution pledging the  
18 revenues to the repayment of revenue obligations issued under this section.

19 (END)

D note:

Ben:

This draft includes ss. <sup>(4)</sup> 341.09(2)(a) and 341.16(1)(a) in the list of revenues pledged to the repayment of revenue bond debt.

PJH

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

LRB-1772/2dn  
PJH:kmg:rs

January 30, 2003

Ben:

This draft includes ss. 341.09 (2) (d) and 341.16 (1) (a) in the list of revenues pledged to the repayment of revenue bond debt.

Peggy Hurley  
Legislative Attorney  
Phone: (608) 266-8906  
E-mail: [peggy.hurley@legis.state.wi.us](mailto:peggy.hurley@legis.state.wi.us)



**Gary, Aaron**

---

**From:** Grinde, Kirsten  
**Sent:** Friday, January 31, 2003 1:56 PM  
**To:** Hurley, Peggy; Gary, Aaron  
**Cc:** Hoadley, Frank; Erdman, David  
**Subject:** FW: LRB 1772/1

Peggy and Aaron,

Please see the comments and edits from Bond Counsel regarding LRB 1772/1. Please make the necessary changes indicated to ensure that the a "special fund" is in place for the bonds/pledge. If you have any questions, please contact me, Frank Hoadley or Dave Erdman.

Thanks,

Kirsten

-----Original Message-----

**From:** Hoadley, Frank  
**Sent:** Friday, January 31, 2003 11:42 AM  
**To:** Grinde, Kirsten  
**Subject:** FW:

-----Original Message-----

**From:** **Speckhard, Rebecca A.** [<mailto:RAS@quarles.com>] <[mailto:\[mailto:RAS@quarles.com\]](mailto:[mailto:RAS@quarles.com])>  
**Sent:** Friday, January 31, 2003 9:17 AM  
**To:** [FRANK.hoadley@doa.state.wi.us](mailto:FRANK.hoadley@doa.state.wi.us)  
**Cc:** Erdman, David ; Ebert, Julianna  
**Subject:**




Untitled Attachment



insert language  
(highway proje...

**Gary, Aaron**

---

 ole0.bmp

Attached, per our discussion with Dave Erdman yesterday afternoon, are our preliminary thoughts on an amendment to Section 84.59(2) to allow a "special fund" pledge of additional miscellaneous license plate and registration fees to transportation revenue bonds. This would also establish the "skeleton" for fuel taxes to be added, if desired, at a later date.

Needless to say, the draft language would need to be refined once the revenues (and any additional projects to be financed) are definitely identified.

Please give Julie (414/277-5767) or me a call if you would like to discuss.

<<insert language (highway projects) 1-30-03.DOC>>

*Rebecca A. Speckhard*  
(414) 277-5761  
ras@quarles.com

The information in this e-mail is confidential and may be protected by the attorney's work product doctrine or the attorney/client privilege. It is intended solely for the addressee(s); access to anyone else is unauthorized and may subject the unintended reader to federal criminal and civil penalties for the unauthorized reading of this message. If this message has been sent to you in error, please do not review, disseminate, distribute or copy this message. Please notify the sender by reply e-mail that you have received the message in error, then delete the message. Thank you for your cooperation.

01/31/2003

Draft amendment to Section 84.59(2) to provide for "special fund" pledge of additional license plate fees, registration fees and other revenue sources:

84.59(2) The department may, under s. 18.561 or 18.562, deposit in a separate and distinct fund outside the state treasury, in an account maintained by a trustee, (a) revenues derived under s. 341.25 or (b) revenues derived under Sections \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_. For purposes of subch. II of Ch. 18, the fund into which revenues described in sub.(2) are deposited is a special fund, and the construction of transportation facilities and major highway projects [and \_\_\_\_\_?] under sub.(1) is a special fund program. Such special fund is a segregated fund created by the imposition of fees, penalties or excise taxes. The legislature finds and determines that a nexus exists between transportation facilities and major highway projects [ and \_\_\_\_\_?] described in sub.(1) and the revenues described in sub.(2)(b) in that fees imposed on motor vehicle users are used to construct such transportation facilities and major highway projects [and \_\_\_\_\_]. The revenues deposited are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section.

**Gary, Aaron**

---

**From:** Gary, Aaron  
**Sent:** Friday, January 31, 2003 4:25 PM  
**To:** Grinde, Kirsten; Hurley, Peggy  
**Cc:** Hoadley, Frank; Erdman, David  
**Subject:** RE: LRB 1772/1

Kirsten,

Peggy and I are trying to incorporate the recommendations by bond counsel into an appropriate statutory format.

1. Based upon the language prepared by bond counsel and your e-mail, I glean that the intent is to clarify that the revenue bonds are special fund obligations as defined in s. 18.52 (7) (and that the account is a special fund, and the program is a special fund program). Is this correct?

2. Bond counsel's recommended language includes an "or" between 341.25 reg. fees now pledged and the other fees being added for pledging. This suggests that DOT may only pledge reg. fees under existing law OR the new fees specified in the draft, but not both. Is this the intent?

3. As you know, we don't like to change statutory provisions any more than necessary if the statutory unit is "working". To the extent that significant changes to s. 84.59 (2) are being proposed by bond counsel, other than simply clarifying that these are special fund obligations and the account is a special fund, we would prefer to create a new statutory unit, s. 84.59 (2m), dealing only with the new fees to be pledged, and leave s. 84.59 (2) as is.

Thanks for your feedback.

Aaron R. Gary  
*Legislative Attorney*  
*Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

-----Original Message-----

**From:** Grinde, Kirsten  
**Sent:** Friday, January 31, 2003 1:56 PM  
**To:** Hurley, Peggy; Gary, Aaron  
**Cc:** Hoadley, Frank; Erdman, David  
**Subject:** FW: LRB 1772/1

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Thanks,

Kirsten

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**From:** Hoadley, Frank  
**Sent:** Friday, January 31, 2003 11:42 AM  
**To:** Grinde, Kirsten  
**Subject:** FW:

-----Original Message-----

**From:** **Speckhard, Rebecca A.** [<mailto:RAS@quarles.com>] <[mailto:\[mailto:RAS@quarles.com\]](mailto:[mailto:RAS@quarles.com])>  
**Sent:** Friday, January 31, 2003 9:17 AM  
**To:** [FRANK.hoadley@doa.state.wi.us](mailto:FRANK.hoadley@doa.state.wi.us)  
**Cc:** Erdman, David ; Ebert, Julianna  
**Subject:**

<< Message: Untitled Attachment >> << File: insert language (highway projects) 1-30-03.DOC >>

DOA:.....Grinde - BB0436, Pledge various fee revenues toward revenue bond debt service for transportation projects

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

RMR

D-Note

deposit in a special fund

1 AN ACT <sup>DON'T GEN. CAT.</sup> relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**OTHER TRANSPORTATION**

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities. DOT may deposit in a ~~special~~ trust fund vehicle registration fee revenues pledged for the repayment of these revenue bonds. Moneys pledged in excess of the amount needed for repayment of these revenue bonds are transferred back to the transportation fund, free of any pledge.

This bill allows DOT to ~~pledge~~ revenues from titling fees, personalized plate fees, fast service fees, counter service fees, late registration fees, and special plate fees for the repayment of revenue bonds in the same manner as is allowed for vehicle registration fee revenues.

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:*

>  
>  
> pledged

insert  
A →

~~SECTION 1.~~ 25.40 (1) (a) 3. of the statutes is amended to read:

2 25.40 (1) (a) 3. Revenues collected under s. ~~341.25~~ ss. 341.09 (2) (d), (2m) (a)  
3 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3),  
4 341.16 (1) (a) and (b), (2), and (2m), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5),  
5 341.26 (1), (2), (2m) (am), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266  
6 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), and 342.14,  
7 except s. 342.14 (1r), that are pledged to <sup>strike</sup> the <sup>any</sup> fund created under s. 84.59 (2).

7

~~SECTION 2.~~ 84.59 (2) of the statutes is amended to read:

~~84.59 (2) The department may, under s. 18.561 or 18.562, deposit in a separate  
and distinct fund outside the state treasury, in an account maintained by a trustee,  
revenues derived under s. ~~341.25~~ ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),  
(2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),  
and (2m), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am),  
(3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2)  
(b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), and 342.14, except s. 342.14 (1r). The  
revenues deposited are the trustee's revenues in accordance with the agreement  
between this state and the trustee or in accordance with the resolution pledging the  
revenues to the repayment of revenue obligations issued under this section.~~

(END)

insert  
B →

D-Note

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1772/3ins  
ARG:.....

~~SECTION 1.~~ 20.395 (6) (as) of the statutes is amended to read:

20.395 (6) (as) *Transportation facilities and highway projects revenue obligation repayment.* From the any fund created under s. 84.59 (2), all moneys received by the fund and not transferred under s. 84.59 (3) to the transportation fund, for the purpose of the retirement of revenue obligations, providing for reserves and for operations relating to the management and retirement of revenue obligations issued under s. 84.59. All moneys received are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations and setting forth the distribution of funds to be received thereafter. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

~~SECTION 2.~~ 84.59 (2) of the statutes is renumbered 84.59 (2) (a).

~~SECTION 3.~~ 84.59 (2) (b) of the statutes is created to read:

84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and distinct special fund outside the state treasury, in an account maintained by a trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2), and (2m), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), and 342.14, except s. 342.14 (1r).

The revenues deposited are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section. Revenue

Insert  
A

Insert  
B

obligations issued for the purposes specified in sub. (1) and deposited under this paragraph are special fund obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in s. 18.52 (8).

SECTION ~~4~~. 84.59 (3) of the statutes is amended to read:

84.59 (3) The secretary may pledge revenues received or to be received in the any fund established ~~in~~ under sub. (2) to secure revenue obligations issued under this section. The pledge shall provide for the transfer to this state of all pledged revenues, including any interest earned on the revenues, which are in excess of the amounts required to be paid under s. 20.395 (6) (as). The pledge shall provide that the transfers be made at least twice yearly, that the transferred amounts be deposited in the transportation fund and that the transferred amounts are free of any prior pledge.



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

LRB-1772/3dn

ARG:.....  
*King*

Kirsten:

The attached draft is based upon my conversation with Mr. Hoadley on Friday evening. It is my understanding that the state is planning to create a new bond resolution and, with regard to revenue bonds to be issued under the new resolution, would like s. 84.59 to specifically identify the fund at issue as a special fund and the bonds as special fund obligations. At the same time, I understand that the state does not want any disruption to outstanding obligations issued under the existing bond resolution. Mr. Hoadley and I determined to leave the provisions of ~~the~~ current s. 84.59 (2) untreated and to create a parallel provision that contains the "special fund" language. This approach would make clear that obligations issued under both the existing bond resolution and the anticipated bond resolution would continue to be authorized after enactment of the budget bill. It is my understanding that Mr. Hoadley will again review the attached draft with bond counsel and that further fine-tuning may be necessary.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

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

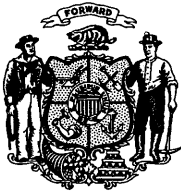
LRB-1772/3dn  
ARG:kmg:ch

February 1, 2003

Kirsten:

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Aaron R. Gary  
Legislative Attorney  
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State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-1772/3  
PJH&ARG:kmg:ch

DOA:.....Grinde – BB0436, Pledge various fee revenues toward revenue bond debt service for transportation projects

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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**TRANSPORTATION**

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This bill allows DOT to deposit in a special fund revenues from titling fees, personalized plate fees, fast service fees, counter service fees, late registration fees, and special plate fees pledged for the repayment of revenue bonds in the same manner as is allowed for vehicle registration fee revenues.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 20.395 (6) (as) of the statutes is amended to read:

2           20.395 (6) (as) *Transportation facilities and highway projects revenue*  
3 *obligation repayment.* From the any fund created under s. 84.59 (2), all moneys  
4 received by the fund and not transferred under s. 84.59 (3) to the transportation fund,  
5 for the purpose of the retirement of revenue obligations, providing for reserves and  
6 for operations relating to the management and retirement of revenue obligations  
7 issued under s. 84.59. All moneys received are irrevocably appropriated in  
8 accordance with subch. II of ch. 18 and further established in resolutions authorizing  
9 the issuance of the revenue obligations and setting forth the distribution of funds to  
10 be received thereafter. Estimated disbursements under this paragraph shall not be  
11 included in the schedule under s. 20.005.

12           **SECTION 2.** 25.40 (1) (a) 3. of the statutes is amended to read:

13           25.40 (1) (a) 3. Revenues collected under ~~s. 341.25~~ ss. 341.09 (2) (d), (2m) (a)  
14 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3),  
15 341.16 (1) (a) and (b), (2), and (2m), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5),  
16 341.26 (1), (2), (2m) (am), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266  
17 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), and 342.14,  
18 except s. 342.14 (1r), that are pledged to the any fund created under s. 84.59 (2).

19           **SECTION 3.** 84.59 (2) of the statutes is renumbered 84.59 (2) (a).

20           **SECTION 4.** 84.59 (2) (b) of the statutes is created to read:

21           84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and  
22 distinct special fund outside the state treasury, in an account maintained by a  
23 trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),  
24 (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),  
25 and (2m), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am),

1 (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2)  
2 (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), and 342.14, except s. 342.14 (1r). The  
3 revenues deposited are the trustee's revenues in accordance with the agreement  
4 between this state and the trustee or in accordance with the resolution pledging the  
5 revenues to the repayment of revenue obligations issued under this section. Revenue  
6 obligations issued for the purposes specified in sub. (1) and deposited under this  
7 paragraph are special fund obligations, as defined in s. 18.52 (7), issued for special  
8 fund programs, as defined in s. 18.52 (8).

9 **SECTION 5.** 84.59 (3) of the statutes is amended to read:

10 84.59 (3) The secretary may pledge revenues received or to be received in the  
11 any fund established in under sub. (2) to secure revenue obligations issued under this  
12 section. The pledge shall provide for the transfer to this state of all pledged revenues,  
13 including any interest earned on the revenues, which are in excess of the amounts  
14 required to be paid under s. 20.395 (6) (as). The pledge shall provide that the  
15 transfers be made at least twice yearly, that the transferred amounts be deposited  
16 in the transportation fund and that the transferred amounts are free of any prior  
17 pledge.

18 (END)