

2005 DRAFTING REQUEST

Senate Amendment (SA-SB331)

Received: **09/26/2005**

Received By: **jkreye**

Wanted: **Soon**

Identical to LRB:

For: **Thomas Reynolds (608) 266-2512**

By/Representing: **patrick**

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

Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Tax, Other - fuel**

Extra Copies: **CTS**

Submit via email: **YES**

Requester's email: **Sen.Reynolds@legis.state.wi.us**

Carbon copy (CC:) to: **joseph.kreye@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Eliminating the annual adjustment of the motor vehicle fuel tax rate; petroleum inspection fee

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	jkreye 09/26/2005	csicilia 09/27/2005	rschlue 09/27/2005	_____	sbasford 09/27/2005	sbasford 09/27/2005	

FE Sent For:

<END>

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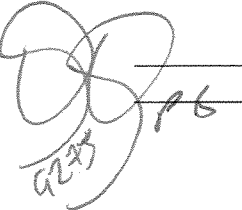
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/1	jkreye						
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1 cjs 9/27/05


FE Sent For:

<END>

Kreye, Joseph

From: Henneger, Patrick
Sent: Monday, September 26, 2005 2:49 PM
To: Kreye, Joseph
Subject: FW: LRB 3339 and LRB 3340

From: Henneger, Patrick
Sent: Monday, September 26, 2005 2:39 PM
To: Kuesel, Jeffery
Cc: Ottman, Tad
Subject: LRB 3339 and LRB 3340

Hi Jeff:

As I indicated in my voice message, Senator Reynolds is requesting changes to LRB 3339 and LRB 3340. As you know, the intended effect of the bills is to eliminate the automatic indexing of the gas tax (LRB 3339/Senate Bill 331) and replace the money with sales tax money (LRB 3340/Senate Bill 330). Our bills were recently scheduled for a public hearing in the Senate Transportation Committee on Thurs. Sept. 29th. Senator Reynolds respectfully requests the following changes to the bills to be introduced on Thursday for the hearing. Please let me know if the edits can't be completed by then.

LRB 3340/Senate Bill 330:

1. Page 2, line 2: Delete the transfer from sales tax on motor vehicle sales and service, leaving only a transfer of sales tax on motor vehicles parts.
2. Provide that, on or before June 30 of each year, the department of revenue shall estimate the amount of tax imposed on motor vehicle parts.
3. Provide that DOR shall not transfer more than the amount estimated under #2.

LRB 3339/Senate Bill 331:

1. Include a provision that moves up the effective date of the 1 cent reduction in the PECFA gas tax (passed in the budget) from May 2006 to April 1, 2006.
2. Include language that the bill will not take effect unless Senate Bill 330 is signed into law.

Finally, I would like an opinion of whether the transfer of sales tax in SB 330 would be considered an appropriation and therefore line-item vetoable by the Governor. I understand that it may be a grey legal area. We would like to avoid language or add language to prevent the Governor from line-item vetoing the bill so that no transfer takes place. For instance, we are worried that the Governor would leave a transfer of zero through creative use of the veto pen and then sign the bill and Senate Bill 331. Please let me know if you have any suggestions on how to accomplish this.

Thank you,

Patrick Henneger
Office of Senator Tom Reynolds



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa1068/1

JK:.....

js

SENATE AMENDMENT,
TO 2005 SENATE BILL 331

in 9-26-05
Wed 9-28-05
D-N

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

2 1. Page 2, line 8: after that line insert:

3 "SECTION 3m. 2005 Wisconsin Act 25, section 9408 (1x) is amended to read:

4 [2005 Wisconsin Act 25] ^{Section} 9408 (1x) PETROLEUM INSPECTION FEE. The treatment
5 of section 168.12 (1) of the statutes takes effect on ~~May~~ April 1, 2006.
_{no bold}

6 SECTION 3n. Effective date.

7 (1) This act takes effect on the day after publication of 2005 Wisconsin Act ...
8 (2005 Senate Bill 330)."

9 (END)

on the day after publication or
Whichever is later

△ ... △

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

LRBa1068/1dn

JK:.....

Senator Reynolds:

Please review this draft carefully to ensure that it is consistent with your intent.

Joseph T. Kreye
Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.state.wi.us

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

LRBa1068/1dn
JK:cjs:rs

September 27, 2005

Senator Reynolds:

Please review this draft carefully to ensure that it is consistent with your intent.

Joseph T. Kreye
Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.state.wi.us