

## 2005 DRAFTING REQUEST

### Senate Amendment (SA-SB331)

Received: 12/06/2005

Received By: jkreye

Wanted: As time permits

Identical to LRB:

For: Scott Fitzgerald (608) 266-5660

By/Representing: tad

This file may be shown to any legislator: NO

Drafter: jkreye

May Contact:

Addl. Drafters:

Subject: Tax, Other - fuel

Extra Copies:

Submit via email: YES

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

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

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Annual adjustment of motor vehicle fuel tax; petroleum inspection fee

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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>
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FE Sent For:

<END>

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/?	jkreye	11/20/05					
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FE Sent For:

<END>

12-6-05

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Ted — Mr Fitzgerald

SB331 — single

LRB s0310/P1 — section 5 — move  
redactor in P.I.F.



1 administered by the department of transportation on the effective date of this  
2 subsection .... [revisor inserts date].

3 **SECTION 2.** 78.015 (1) of the statutes is amended to read:

4 78.015 (1) Before April 1 the department shall recompute and publish the rate  
5 for the tax imposed under s. 78.01 (1). The new rate per gallon shall be calculated  
6 by multiplying the rate in effect at the time of the calculation by the amount obtained  
7 under sub. (2). After the calculation of the rate that takes effect on April 1, 2006, the  
8 department shall make no further calculation under this subsection and sub. (2).

9 **SECTION 3.** 78.12 (4) (a) 4. of the statutes is amended to read:

10 78.12 (4) (a) 4. Multiply the number of gallons under subd. 3. by the rate  
11 published under s. 78.015 as increased under s. 78.017.

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

13 78.12 (4) (b) 2. Multiply the number of gallons under subd. 1. by the rate  
14 published under s. 78.015 as increased under s. 78.017.

15 **SECTION 5.** 2005 Wisconsin Act 25, section 9408 (1x) is amended to read:

16 [2005 Wisconsin Act 25] Section 9408 (1x) PETROLEUM INSPECTION FEE. The  
17 treatment of section 168.12 (1) of the statutes takes effect on ~~May~~ April 1, 2006.

18 **SECTION 6. Nonstatutory provisions.**

19 (1) RECONCILIATION PROVISION. This act is void unless 2005 Senate Bill 330 as  
20 shown by 2005 Enrolled Senate Bill 330 is enacted without change.

21 **SECTION 7. Effective date.**

22 (1) This act takes effect on the day after publication or on the effective date of  
23 2005 Wisconsin Act .... (Senate Bill 330), whichever is later.

24

(END)

**SENATE SUBSTITUTE AMENDMENT ,  
TO 2005 SENATE BILL 331**

1     **AN ACT** *to amend* 78.015 (1), 78.12 (4) (a) 4. and 78.12 (4) (b) 2.; *to create* 25.40  
2           (3) of the statutes; and *to affect* 2005 Wisconsin Act 25, section 9408 (1x);  
3     **relating to:** eliminating the annual adjustment of the motor vehicle fuel tax  
4     rate, reducing the petroleum inspection fee rate, and the use of moneys from the  
5     transportation fund.

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

6           **SECTION 1.** 25.40 (3) of the statutes is created to read:  
7           25.40 (3) (a) Except as provided in s. 85.52 (3) (cm), beginning on July 1, 2007,  
8     no moneys deposited in the transportation fund that are not appropriated may be  
9     transferred from the transportation fund to any other fund or appropriation account  
10    in any other fund.  
11           (b) Beginning on July 1, 2007, no moneys may be appropriated from the  
12    transportation fund except for purposes related to the planning, design,

1 construction, reconstruction, expansion, rehabilitation, maintenance, or operation  
2 of highway, airport, harbor, ferry, railroad, bicycle, or pedestrian facilities or service,  
3 or any costs attendant to such planning, design, construction, reconstruction,  
4 expansion, rehabilitation, maintenance, or operation; the acquisition of  
5 transportation facilities or property necessary to construct or enlarge transportation  
6 facilities, or costs attendant to such acquisition or to disposal of any acquired facility  
7 or property; costs associated with utility facilities within the rights-of-way of  
8 transportation facilities or with radio communications facilities and equipment  
9 owned or leased by, and services provided by, the department of transportation and  
10 used for law enforcement; aids or assistance to cities, villages, towns, or counties for  
11 transportation purposes; the expenditure of federal transportation aid received by  
12 the state for any purpose for which the aid is provided or the provision of matching  
13 or supplemental funds associated with such aid, or the expenditure of funds derived  
14 from gifts or grants received by the department of transportation for any purpose for  
15 which the gift or grant is provided; state enforcement of traffic laws; transportation  
16 safety programs; the administration of laws related to motor vehicles, driver  
17 licensing, or aeronautics; the payment of principal and interest on bonds issued for  
18 highway, railroad, or harbor improvements or other transportation facilities; the  
19 general costs of administration of the department of transportation; the costs of  
20 administration of the taxes and fees that are deposited in the transportation fund;  
21 terminal tax distribution payments under s. 76.24 (2) (a); tourism promotion under  
22 s. 20.380 (1) (w); transfers to the conservation fund for motor fuel tax collections on  
23 the use of fuel by snowmobiles, all-terrain vehicles, and motorboats; any refunds of  
24 transportation fund taxes and fees authorized by law; or any other program

stays

a1757/1

**SENATE AMENDMENT 1,  
TO 2005 SENATE BILL 331**

bill list ✓

in 12-6-05

now

September 29, 2005 - Offered by Senator REYNOLDS.

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

5 treatment of section 168.12 (1) of the statutes takes effect on ~~May~~ April 1, 2006. =

6 **SECTION 3n. Effective date.**

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

9 (END)