

2005 DRAFTING REQUEST

Assembly Amendment (AA-SB331)

Received: **12/13/2005**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **Joyce Waldrop (aide)**

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

Drafter: **agary**

May Contact:

Addl. Drafters: **jkreye**

Subject: **Transportation - miscellaneous**

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **Rep.Albers@legis.state.wi.us**

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

Pre Topic:

No specific pre topic given

Topic:

gas tax indexing; general transportation aids; vehicle sales tax

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	agary 12/13/2005 jkreye 12/13/2005	csicilia 12/13/2005	rschluet 12/13/2005	_____	sbasford 12/13/2005	sbasford 12/13/2005	
/2	agary 12/13/2005	csicilia 12/13/2005	rschluet 12/13/2005	_____	lemery 12/13/2005	lemery 12/13/2005	

Vers: Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

2005 DRAFTING REQUEST

Assembly Amendment (AA-SB331)

Received: 12/13/2005

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Sheryl Albers (608) 266-8531

By/Representing: Joyce Waldrop (aide)

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters: jkreye

Subject: Transportation - miscellaneous

Extra Copies: PJH

Submit via email: YES

Requester's email: Rep.Albers@legis.state.wi.us

Carbon copy (CC:) to: Joyce.Waldrop@legis.state.wi.us
aaron.gary@legis.state.wi.us

Pre Topic:

No specific pre topic given

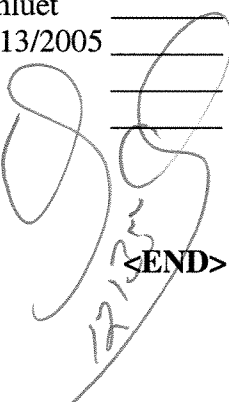
Topic:

gas tax indexing; general transportation aids; vehicle sales tax

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	agary 12/13/2005 jkreye 12/13/2005	csicilia 12/13/2005	rschluet 12/13/2005		sbasford 12/13/2005	sbasford 12/13/2005	

FE Sent For:

2 g's 12/13/05

<END>

2005 DRAFTING REQUEST

Assembly Amendment (AA-SB331)

Received: 12/13/2005

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **Joyce Waldrop (aide)**

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

Drafter: **agary**

May Contact:

Addl. Drafters: **jkreye**

Subject: **Transportation - miscellaneous**

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **Rep.Albers@legis.state.wi.us**

Carbon copy (CC:) to: **Joyce.Waldrop@legis.state.wi.us**
aaron.gary@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

gas tax indexing; general transportation aids; vehicle sales tax

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>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	agary	1/13/05					
----	-------	---------	---	--	--	--	--

FE Sent For:

<END>

Gary, Aaron

From: Rep. Albers
Sent: Tuesday, December 13, 2005 10:57 AM
To: Gary, Aaron
Subject: Amendment to AB 331

Aaron,

Please draft an amendment to SB 331 (Indexing)

1. Preclude any decrease in town road aids
2. Replace the index funds with revenues from the tax on used vehicles.

If you have any questions please call my office.

Sincerely,

Sheryl

Sheryl K. Albers
State Representative
50th Assembly District

15 North State Capitol
Madison, WI 53708
Ph 608/266-8531
Fax 608/283-3650

12/13

tlc w/ Joyce

1. only wants "towns" covered,
not all municipalities & counties

2. deposit all revenues in
trans fund

AKG



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa1857/1
ARG&JK:/:.....

95

ASSEMBLY AMENDMENT,
TO 2005 SENATE BILL 331

in 12-13-05

NOW

DN

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

2 **1.** Page 1, line 3: after "rate", before the material inserted by senate
3 amendment 3, insert ", general transportation aids, depositing certain sales and use
4 tax revenues into the transportation fund,".

5 **2.** Page 1, line 4: before that line, before the material inserted by senate
6 amendment 3, insert:

7 "SECTION 1[^]b. 25.40 (1) (bn) of the statutes is created to read:

8 25.40 (1) (bn) From the taxes imposed under ss. 77.52 and 77.53 on the sale or
9 use of used motor vehicles, all moneys deposited under s. 78.23."

10 **3.** Page 1, line 4: on page 1, line 5 of the material in inserted by senate
11 amendment 3, delete "SECTION 1" and substitute "SECTION 1d".

12 **4.** Page 2, line 8: after that line, before the material inserted by senate
13 amendment 6, as affected by senate amendment 1 to senate amendment 6, insert:

before that line,

✓

✓

✓

Handwritten scribbles at the top left of the page.

1 "SECTION 3b. 78.23 of the statutes is created to read:

2 **78.23 Deposit into the transportation fund.** Beginning in 2007, on July
3 1 of each year, an amount that is equal to an estimate of the amount of the taxes
4 imposed under ss. 77.52 and 77.53 on the sale or use of used motor vehicles in the
5 previous fiscal year, as determined by the department, shall be deposited into the
6 transportation fund. ✓

7 **SECTION 3g.** 86.30 (2) (a) 3. of the statutes, as affected by 2005 Wisconsin Act
8 25, is amended to read:

9 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
10 municipality as determined under s. 86.302, the mileage aid payment shall be \$1,825
11 in calendar years 2004 and 2005, \$1,862 in calendar year 2006, and \$1,899 in
12 calendar year 2007 and thereafter and the amount of the mileage aid payment for
13 towns under this subdivision shall not be decreased. ✓ *MOVE PLAIN PERIOD* ✓ *add scored period* ✓

14 **SECTION 3i.** 86.30 (9) (c) of the statutes, as affected by 2005 Wisconsin Act 25,
15 is amended to read:

16 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
17 the amounts for aids to municipalities are \$283,291,100 in calendar years 2004 and
18 2005, \$288,956,900 in calendar year 2006, and \$294,736,000 in calendar year 2007
19 and thereafter, and the amounts for aids for towns under this paragraph shall not
20 be decreased. *MOVE PLAIN PERIOD* ✓ *add scored period* ✓
21 These amounts, to the extent practicable, shall be used to determine
the statewide municipal average cost-sharing percentage in the particular calendar

22 year. ✓ ←

History: 1977 c. 29; 1979 c. 32 s. 92 (1); 1979 c. 34 ss. 934b, 2102 (52) (a); 1981 c. 20, 248; 1983 a. 27; 1985 a. 29 ss. 1604 to 1616r; 3202 (51); 1987 a. 27; 1989 a. 31; 1991 a. 39, 269; 1993 a. 16; 1995 a. 113, 338; 1997 a. 27; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 33; 2005 a. 25.

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

LRBa1857/1dn
ARG&JTK: j:...

ajs

ATTN: Joyce Waldrop

As I tried to discuss by phone, given the fact that town aids are a component of general transportation aids to municipalities and counties, and the amount of these aids is fixed by statute and cannot be decreased without legislative action, the attached amendment has no legal effect with respect to "town road aids." ✓

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**

LRBa1857/1dn
ARG&JTK:cjs:rs

December 13, 2005

ATTN: Joyce Waldrop

As I tried to discuss by phone, given the fact that town aids are a component of general transportation aids to municipalities and counties, and the amount of these aids is fixed by statute and cannot be decreased without legislative action, the attached amendment has no legal effect with respect to "town road aids."

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

LRBa1857/1dn
ARG&JTK:cjs:rs

December 13, 2005

rec'd from requester

ATTN: Joyce Waldrop

As I tried to discuss by phone, given the fact that town aids are a component of general transportation aids to municipalities and counties, and the amount of these aids is fixed by statute and cannot be decreased without legislative action, the attached amendment has no legal effect with respect to "town road aids."

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

get substituted



ASSEMBLY AMENDMENT ,
TO 2005 SENATE BILL 331

received from requester

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

2 1. Page 1, line 3: after "rate", before the material inserted by senate
3 amendment 3, insert ", general transportation aids, depositing certain sales and use
4 tax revenues into the transportation fund,".

5 2. Page 1, line 4: before that line, before the material inserted by senate
6 amendment 3, insert:

7 "SECTION 1b. 25.40 (1) (bn) of the statutes is created to read:

8 25.40 (1) (bn) From the taxes imposed under ss. 77.52 and 77.53 on the sale or
9 use of used motor vehicles, all moneys deposited under s. 78.23."

10 3. Page 1, line 4: before that line, on page 1, line 5, of the material in inserted
11 by senate amendment 3, delete "SECTION 1" and substitute "SECTION 1d".

12 4. Page 2, line 8: after that line, before the material inserted by senate
13 amendment 6, as affected by senate amendment 1 to senate amendment 6, insert:

received from requester

1 "SECTION 3b. 78.23 of the statutes is created to read:

2 78.23 Deposit into the transportation fund. Beginning in 2007, on July
3 1 of each year, an amount that is equal to an estimate of the amount of the taxes
4 imposed under ss. 77.52 and 77.53 on the sale or use of used motor vehicles in the
5 previous fiscal year, as determined by the department, shall be deposited into the
6 transportation fund.

7 SECTION 3g. 86.30 (2) (a) 3. of the statutes, as affected by 2005 Wisconsin Act
8 25, is amended to read:

9 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
10 municipality as determined under s. 86.302, the mileage aid payment shall be \$1,825
11 in calendar years 2004 and 2005, \$1,862 in calendar year 2006, and \$1,899 in
12 calendar year 2007 and thereafter. The amount of the mileage aid payment for towns
13 under this subdivision shall not be decreased.

*be increased, not based on the
calculated increase in base fuel prices
over a 24 month period.*

14 SECTION 3i. 86.30 (9) (c) of the statutes, as affected by 2005 Wisconsin Act 25,
15 is amended to read:

16 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
17 the amounts for aids to municipalities are \$283,291,100 in calendar years 2004 and
18 2005, \$288,956,900 in calendar year 2006, and \$294,736,000 in calendar year 2007
19 and thereafter. The amounts for aids for towns under this paragraph shall not be
20 reduced or decreased. These amounts, to the extent practicable, shall be used to determine the
21 statewide municipal average cost-sharing percentage in the particular calendar
22 year."

*to any municipality, whose total miles remains unchanged
unless the jurisdiction maintains fewer miles
than ~~was~~ ~~maintained~~ ~~emerged~~ 24 months
earlier. of increased, in the prior 24 month period.*

23

Gary, Aaron

From: Gary, Aaron
Sent: Tuesday, December 13, 2005 2:11 PM
To: Waldrop, Joyce; Rep.Albers
Subject: RE: Amendment to AB 331

Joyce,
Thanks for your response.

Representative Albers,
I will redraft as indicated below, unless I hear otherwise.

Thank you. Aaron

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

From: Gary, Aaron
Sent: Tuesday, December 13, 2005 1:37 PM
To: Waldrop, Joyce; Rep.Albers
Subject: RE: Amendment to AB 331

Joyce,

I received the handwritten changes to LRBA1857. I am having trouble reading the handwriting. Can you confirm this is what is written:

p. 2, line 13: "be increased based on the calculated increase in base fuel prices over a 24 month period"

p. 2, lines 19-20: "may not be reduced to any municipality, whose number of miles remains unchanged or increased, in the prior 24 month period"

Is this correct?

Also, these handwritten changes are made to statutes that simply guarantee a pool of funds; they do not guarantee a specific amount to any municipality. In fact, with the formula other than per-mile aid, it would be difficult to make such a guarantee because the formula is based on many factors, including prior year expenditures. I will therefore have to insert a couple of "notwithstandings" in other provisions, but even with such insertions, I believe this creates substantial complications for the agency in administering the GTA program and may create a significant, unexpected cost to the program.

Aaron

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

From: Rep.Albers
Sent: Tuesday, December 13, 2005 10:57 AM
To: Gary, Aaron
Subject: Amendment to AB 331

Aaron,

Please draft an amendment to SB 331 (Indexing)

1. Preclude any decrease in town road aids
2. Replace the index funds with revenues from the tax on used vehicles.

If you have any questions please call my office.

Sincerely,

Sheryl

Sheryl K. Albers
State Representative
50th Assembly District

15 North State Capitol
Madison, WI 53708
Ph 608/266-8531
Fax 608/283-3650

Gary, Aaron

From: Waldrop, Joyce
Sent: Tuesday, December 13, 2005 1:40 PM
To: Gary, Aaron
Subject: RE: Amendment to AB 331

Aaron,

Having not seen the notes, I can only guess what was written. But, it appears to achieve what Representative Albers wants.

Please advise Representative Albers of your concerns.

Joyce Waldrop
Chief of Staff/Committee Clerk
jwaldrop@legis.state.wi.us

Representative Sheryl Albers
50th Assembly District
Property Rights and Land Management
15 North State Capitol
PO Box 8952
Madison, WI 53708
Ph. 608/266-8531
Fax 608/282-3650

From: Gary, Aaron
Sent: Tuesday, December 13, 2005 1:37 PM
To: Waldrop, Joyce; Rep.Albers
Subject: RE: Amendment to AB 331

Joyce,

I received the handwritten changes to LRBa1857. I am having trouble reading the handwriting. Can you confirm this is what is written:

p. 2, line 13: "be increased based on the calculated increase in base fuel prices over a 24 month period"

p. 2, lines 19-20: "may not be reduced to any municipality, whose number of miles remains unchanged or increased, in the prior 24 month period"

Is this correct?

Also, these handwritten changes are made to statutes that simply guarantee a pool of funds; they do not guarantee a specific amount to any municipality. In fact, with the formula other than per-mile aid, it would be difficult to make such a guarantee because the formula is based on many factors, including prior year expenditures. I will therefore have to insert

a couple of "notwithstandings" in other provisions, but even with such insertions, I believe this creates substantial complications for the agency in administering the GTA program and may create a significant, unexpected cost to the program.

Aaron

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

From: Rep.Albers
Sent: Tuesday, December 13, 2005 10:57 AM
To: Gary, Aaron
Subject: Amendment to AB 331

Aaron,

Please draft an amendment to SB 331 (Indexing)

1. Preclude any decrease in town road aids
2. Replace the index funds with revenues from the tax on used vehicles.

If you have any questions please call my office.

Sincerely,

Sheryl

Sheryl K. Albers
State Representative
50th Assembly District

15 North State Capitol
Madison, WI 53708
Ph 608/266-8531
Fax 608/283-3650



State of Wisconsin
2005 - 2006 LEGISLATURE

Now

LRBa1857/2
ARG&JK:cjs:rs

Stays
KMR

ASSEMBLY AMENDMENT,
TO 2005 SENATE BILL 331

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

2 **1.** Page 1, line 3: after "rate", before the material inserted by senate
3 amendment 3, insert ", general transportation aids, depositing certain sales and use
4 tax revenues into the transportation fund,".

5 **2.** Page 1, line 4: before that line, before the material inserted by senate
6 amendment 3, insert:

7 "SECTION 1b. 25.40 (1) (bn) of the statutes is created to read:

8 25.40 (1) (bn) From the taxes imposed under ss. 77.52 and 77.53 on the sale or
9 use of used motor vehicles, all moneys deposited under s. 78.23."

10 **3.** Page 1, line 4: before that line, on page 1, line 5, of the material in inserted
11 by senate amendment 3, delete "SECTION 1" and substitute "SECTION 1d".

12 **4.** Page 2, line 8: after that line, before the material inserted by senate
13 amendment 6, as affected by senate amendment 1 to senate amendment 6, insert:

1 “SECTION 3b. 78.23 of the statutes is created to read:

2 **78.23 Deposit into the transportation fund.** Beginning in 2007, on July
3 1 of each year, an amount that is equal to an estimate of the amount of the taxes
4 imposed under ss. 77.52 and 77.53 on the sale or use of used motor vehicles in the
5 previous fiscal year, as determined by the department, shall be deposited into the
6 transportation fund.

7 **SECTION 3g.** 86.30 (2) (a) 3. of the statutes, as affected by 2005 Wisconsin Act
8 25, is amended to read:

9 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
10 municipality as determined under s. 86.302, the mileage aid payment shall be \$1,825
11 in calendar years 2004 and 2005, \$1,862 in calendar year 2006, and \$1,899 in
12 calendar year 2007 and thereafter. The amount of the mileage aid payment for towns
13 under this subdivision shall not be decreased.

insert
2-13

14 **SECTION 3i.** 86.30 (9) (c) of the statutes, as affected by 2005 Wisconsin Act 25,
15 is amended to read:

16 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
17 the amounts for aids to municipalities are \$283,291,100 in calendar years 2004 and
18 2005, \$288,956,900 in calendar year 2006, and \$294,736,000 in calendar year 2007
19 and thereafter. The amounts for aids for towns under this paragraph shall not be
20 decreased. These amounts, to the extent practicable, shall be used to determine the
21 statewide municipal average cost-sharing percentage in the particular calendar
22 year.”.

insert
2-19

may

insert
2-20

(END)

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1857/2ins
ARG:.....

INSERT 2-13:

(no P) increased based on the calculated increase in base fuel prices over a 24 month period

scored hyphen
=

INSERT 2-19:

(no P) Notwithstanding any other provision of this section or ss. 86.302 or 86.303,

S.
=

INSERT 2-20:

(no P) reduced to any municipality, whose number of miles remains unchanged or increased, in the prior 24 month period

= ← scored hyphen