

2009 DRAFTING REQUEST

Bill

Received: **02/17/2009**

Received By: **emueller**

Wanted: **As time permits**

Identical to LRB:

For: **Joan Ballweg (608) 266-8077**

By/Representing: **Vincent Williams**

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

Drafter: **emueller**

May Contact:

Addl. Drafters:

Subject: **Transportation - other**

Extra Copies: **ARG**

Submit via email: **YES**

Requester's email: **Rep.Ballweg@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Registration fees for animal-drawn vehicles.

Instructions:

See attached. Redraft 07-3655

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>
/?	emueller 03/09/2009	bkraft 03/11/2009		_____			Local
/P1			rschluet 03/11/2009	_____	mbarman 03/11/2009		Local
/1	emueller 07/10/2009	bkraft 07/10/2009	mduchek 07/10/2009	_____	cduerst 07/10/2009	cduerst 07/10/2009	

FE Sent For: "1" @ intro, 8/17/09

<END>

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Jacket
for Assembly
Please

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/?	emueller 03/09/2009	bkraft 03/11/2009		_____			Local
/P1			rschluet 03/11/2009	_____	mbarman 03/11/2009		

11 EVM 6/10/09

FE Sent For:

11bjk^{7/10}


<END>
9/1/10

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Addl. Drafters:

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Extra Copies: **ARG**

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/?	emueller						
1/1	Em	1/1 bjk 3/10					
FE Sent For:	3/9/09						

PA —
Please note
2005 technical
memo to be
included with
paper copy of
submitted draft bjk

[Handwritten signature]
3/19
<END>

Miller, Steve

From: Williams, Vincent
Sent: Thursday, March 05, 2009 1:29 PM
To: Miller, Steve
Subject: Rep. Ballweg drafting request

Attachments: 07-36552.pdf

Steve,

Last session Brett Balinsky drafted this bill for Rep. Ballweg. I'm not sure who took his place. Could you refer this to the appropriate person.

The draft deals with a license for an animal drawn vehicle. We're working off last sessions slash 2 version.

She would like this re-drafted for introduction this session. Sen. Pat Kreitlow would like a senate companion draft as well. I'm working with Jeff Buhrandt in that office.

If you have any questions please give me a call, 266-8077.

Regards,

Vince Williams
Research Assistant
Rep. Ballweg's Office



07-36552.pdf (18
KB)

phone call w/ Vincent Williams 3/7

- revenue for roads by cigars is focus of bill

Note

2161/P1

LRB-3655/2

BAB:lmk:rs

EUM:bjk

Insert

FROM
2007
3655/2

RMNR

9
2007 BILL

In 3/9/09

SA

x-ref

PWF

Insert

regen

- 1 AN ACT *to amend* 341.35 (1), 341.35 (3m), 341.35 (5), 341.35 (6r) and 341.35 (7)
- 2 of the statutes relating to: allowing a municipality or a county to charge a
- 3 registration fee for animal-drawn vehicles.

town, village, or city
(municipality) or county

↑
town, villages
or city
(municipality)
or
county

Analysis by the Legislative Reference Bureau

Current law allows a county, town, village, or city to enact an ordinance to collect an annual registration fee for motor vehicles that weigh less than 8,000 pounds and are customarily kept in the county, town, village, or city. The Department of Transportation collects the fees at the time a vehicle is registered and forwards the money, minus actual administrative costs associated with the collection of the fees, to the county, town, village, or city for use by the county, town, village, or city for transportation purposes.

This bill allows a county, town, village, or city to enact an ordinance to collect an annual registration fee of not more than \$50 for animal-drawn vehicles. This fee is paid directly to the county, town, village, or city to be used for transportation purposes.

For further information see the *local* 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:

customarily kept in
the municipality
or county

x5
or municipality
or
municipality

customarily kept in
the municipality
or county

BILL

X✓
SECTION 1. 341.35 (1) of the statutes is amended to read:

341.35 (1) ANNUAL REGISTRATION FEE. In this section "municipality" means a town, village, or city and "motor vehicle" means an automobile or motor truck registered under s. 341.25 (1) (c) at a gross weight of not more than 8,000 pounds. The governing body of a municipality or county may enact an ordinance imposing an annual flat municipal or county registration fee on all motor vehicles registered in this state, and an annual municipal or county registration fee of not more than \$50 on animal-drawn vehicles, which are customarily kept in the municipality or county. A registration fee imposed under this section shall be in addition to state registration fees.

Insert 10
2-19-11 → X✓
SECTION 2. 341.35 (3m) of the statutes is amended to read:

341.35 (3m) COUNTY AND MUNICIPAL FEES. If a municipality and the county in which the municipality is located enact ordinances under this section, a motor vehicle ^{now} customarily kept in the municipality or an animal-drawn vehicle owned by a resident of the municipality shall be subject to a municipal registration fee and or a county registration fee.

X✓
SECTION 3. 341.35 (5) of the statutes is amended to read:

341.35 (5) PAYMENT OF FEES. At the time a motor vehicle is first registered or at the time of registration renewal, the applicant shall pay to the department any fee imposed by a county or municipality under this section for the motor vehicle in addition to fees required under this chapter. A county or municipality may ^{adopt} determine ^{← adopt} by ordinance, a registration schedule for animal-drawn vehicles and the fee shall be payable to the county or municipality. If the county and the municipality in which the applicant resides have passed an ordinance to impose a fee for the registration of an animal-drawn vehicle, the county shall collect that fee and shall

animal-drawn vehicle is customarily kept

animal-drawn vehicle is customarily kept

BILL

1 distribute the fee equally between the county and the municipality in which the
2 applicant resides.

3 ^{X✓}
SECTION 4. 341.35 (6r) of the statutes is amended to read:

4 341.35 (6r) USE OF FEE PROCEEDS. Any municipality or county receiving moneys
5 under sub. (5) or (6) shall use the moneys only for transportation related purposes,
6 except that a municipality or county may use a portion of the money it collects under
7 sub. (5) for actual administrative costs related to the collection of the fees.

8 ^{X✓}
SECTION 5. 341.35 (7) of the statutes is amended to read:

9 341.35 (7) REPLACEMENTS. No municipal or county vehicle registration fee may
10 be imposed on a motor vehicle or an animal-drawn vehicle which is a replacement
11 for a motor vehicle or an animal-drawn vehicle for which a current municipal or
12 county vehicle registration fee has been paid.

13 (END)

D Note

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-21610ins ^{epl}
EVM:.....

1 **INSERT 2-10**

2 **SECTION 1.** 341.35 (2) (a) of the statutes is amended to read:

3 341.35 (2) (a) All motor vehicles exempted by this chapter from payment of a
4 state vehicle registration fee.

History: 1971 c. 125 s. 521; 1971 c. 164 s. 83; 1977 c. 29 ss. 1446, 1654 (7) (a); 1977 c. 273; 1979 c. 221; 1983 a. 27; 1987 a. 216; 1997 a. 27; 1999 a. 80.

D-note

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

LRB-2161/0dn

EVM:.....

epi
Lbjk

Date

ATTN: Vincent Williams

2007 LRB-3655/2

- > I have made several changes to the previous session's draft clarifying the application
- > of the registration fee. Specifically, the present draft allows counties and municipalities to impose a registration fee on animal-drawn vehicles which are customarily kept in a county or municipality. Please let me know if this formulation
- > is incorrect. &&

to the paper copy of this draft

2005 Assembly Bill 889

In addition, I have attached a copy of a Department of Transportation technical memo that was provided pursuant to the 2005 version of this bill. As stated in that memo, the placement of this material in ch. 341, stats., is somewhat incongruous. If you wish to make changes responsive to the DOT's concerns, I can draft a section similar to s. 341.35, stats., for inclusion in ch. 66, stats. Please let me know if you wish to make any further changes.

the

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

January 9, 2005

From: Wisconsin Department of Transportation

To: Legislative Reference Bureau

Re: Technical memo, 2005 AB 889

The Department of Transportation offers the following technical note on 2005 AB 889, 2005 LRB-3218/3.

This bill places the county or municipal authority for registration fee for animal-drawn vehicles within the motor vehicle statutes, even though animal-drawn vehicles are not motor vehicles and are exempt from titling and registration under state law, and the bill provisions do not involve DOT.

In addition, the bill amends current law with respect to a municipal or county registration fee on motor vehicles, to provide that if a municipality and the county within which that municipality is located both have a registration fee for motor vehicles, either the municipal or the county fee, but not both, is charged. This may be an inadvertent result of placing the county or municipal authority within the motor vehicle statutes.

This authority would be more appropriately placed in Chapter 59 (Counties) or Chapter 66 (Municipal Law), or both.

Thank you.

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

LRB-2161/P1dn
EVM:bjk:rs

March 11, 2009

ATTN: Vincent Williams

I have made several changes to 2007 LRB-3655/2 clarifying the application of the registration fee. Specifically, the draft allows counties and municipalities to impose a registration fee on animal-drawn vehicles which are customarily kept in a county or municipality. Please let me know if this formulation is incorrect.

In addition, I have attached to the paper copy of this draft a copy of a Department of Transportation technical memo that was provided pursuant to the 2005 version of this bill, 2005 Assembly Bill 889. As stated in the memo, the placement of this material in ch. 341, stats., is somewhat incongruous. If you wish to make changes responsive to DOT's concerns, I can draft a section similar to s. 341.35, stats., for inclusion in ch. 66, stats. Please let me know if you wish to make any further changes.

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This authority would be more appropriately placed in Chapter 59 (Counties) or Chapter 66 (Municipal Law), or both.

Thank you.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-2161/P1
EVM:bjk:rs
/1
stays
RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No Changes

In 6/10/09

SA

regen.

1 AN ACT *to amend* 341.35 (1), 341.35 (2) (a), 341.35 (3m), 341.35 (5), 341.35 (6r)
2 and 341.35 (7) of the statutes; **relating to:** allowing a municipality or a county
3 to charge a registration fee for animal-drawn vehicles.

Analysis by the Legislative Reference Bureau

Current law allows a town, village, or city (municipality) or county to enact an ordinance to collect an annual registration fee for motor vehicles that weigh less than 8,000 pounds and are customarily kept in the county or municipality. The Department of Transportation collects the fees at the time a vehicle is registered and forwards the money, minus actual administrative costs associated with the collection of the fees, to the county or municipality for use by the county or municipality for transportation purposes.

This bill allows a county or municipality to enact an ordinance to collect an annual registration fee of not more than \$50 for animal-drawn vehicles customarily kept in the municipality or county. This fee is paid directly to the county or municipality to be used for transportation purposes.

For further information see the **local** 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:

4 SECTION 1. 341.35 (1) of the statutes is amended to read:

1 341.35 (1) ANNUAL REGISTRATION FEE. In this section “municipality” means a
2 town, village, or city and “motor vehicle” means an automobile or motor truck
3 registered under s. 341.25 (1) (c) at a gross weight of not more than 8,000 pounds.
4 The governing body of a municipality or county may enact an ordinance imposing an
5 annual flat municipal or county registration fee on all motor vehicles registered in
6 this state, and an annual municipal or county registration fee of not more than \$50
7 on animal-drawn vehicles, which are customarily kept in the municipality or county.
8 A registration fee imposed under this section shall be in addition to state registration
9 fees.

10 **SECTION 2.** 341.35 (2) (a) of the statutes is amended to read:

11 341.35 (2) (a) All motor vehicles exempted by this chapter from payment of a
12 state vehicle registration fee.

13 **SECTION 3.** 341.35 (3m) of the statutes is amended to read:

14 341.35 (3m) COUNTY AND MUNICIPAL FEES. If a municipality and the county in
15 which the municipality is located enact ordinances under this section, a motor
16 vehicle or an animal-drawn vehicle customarily kept in the municipality shall be
17 subject to a municipal registration fee and or a county registration fee.

18 **SECTION 4.** 341.35 (5) of the statutes is amended to read:

19 341.35 (5) PAYMENT OF FEES. At the time a motor vehicle is first registered or
20 at the time of registration renewal, the applicant shall pay to the department any fee
21 imposed by a county or municipality under this section for the motor vehicle in
22 addition to fees required under this chapter. A county or municipality may adopt,
23 by ordinance, a registration schedule for animal-drawn vehicles and the fee shall be
24 payable to the county or municipality. If the county and the municipality in which
25 the animal-drawn vehicle is customarily kept have passed an ordinance to impose

1 a fee for the registration of an animal-drawn vehicle, the county shall collect that fee
2 and shall distribute the fee equally between the county and the municipality in
3 which the applicant resides.

4 **SECTION 5.** 341.35 (6r) of the statutes is amended to read:

5 341.35 **(6r)** USE OF FEE PROCEEDS. Any municipality or county receiving moneys
6 under sub. (5) or (6) shall use the moneys only for transportation related purposes,
7 except that a municipality or county may use a portion of the money it collects under
8 sub. (5) for actual administrative costs related to the collection of the fees.

9 **SECTION 6.** 341.35 (7) of the statutes is amended to read:

10 341.35 **(7)** REPLACEMENTS. No municipal or county vehicle registration fee may
11 be imposed on a motor vehicle or an animal-drawn vehicle which is a replacement
12 for a motor vehicle or an animal-drawn vehicle for which a current municipal or
13 county vehicle registration fee has been paid.

14 (END)

Mueller, Eric

From: Williams, Vincent
Sent: Thursday, July 09, 2009 4:07 PM
To: Mueller, Eric
Subject: FW: Draft review: LRB 09-2161/P1 Topic: Registration fees for animal-drawn vehicles.
Attachments: LRB-2161_P1; LRB-2161_P1 Drafters_Note

Eric,

Can we get this as a slash-1, instead of P-1, and get it jacketed for introduction in the Assembly?

Regards,

Vince Williams
Research Assistant
Rep. Ballweg's Office

From: Barman, Mike
Sent: Wednesday, March 11, 2009 2:18 PM
To: Rep.Ballweg
Subject: Draft review: LRB 09-2161/P1 Topic: Registration fees for animal-drawn vehicles.

Following is the PDF version of draft LRB 09-2161/P1 and drafter's note.

Duerst, Christina

From: Williams, Vincent
Sent: Friday, July 10, 2009 2:54 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-2161/1 Topic: Registration fees for animal-drawn vehicles.

Please Jacket LRB 09-2161/1 for the ASSEMBLY.