

2015 DRAFTING REQUEST

Bill

Received: 12/2/2014 Received By: zwyatt
Wanted: As time permits Same as LRB:
For: Administration-Budget 266-1039 By/Representing: Mette
May Contact: Drafter: zwyatt
Subject: Transportation - other Addl. Drafters: jkreye
Extra Copies: ARG, EVM

Submit via email: YES
Requester's email:
Carbon copy (CC) to: zachary.wyatt@legis.wisconsin.gov
aaron.gary@legis.wisconsin.gov
eric.mueller@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov
joseph.kreye@legis.wisconsin.gov

Pre Topic:

DOA:.....Mette, BB0248 -

Topic:

Pledge gas tax revenues for the Transportation Revenue Bond program

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>
/P1	zwyatt 1/23/2015	csicilia 1/26/2015	jmurphy 1/26/2015	_____	sbasford 12/10/2014		State
/P2				_____	srose		State

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/P1	jkreye 12/9/2014	wjackson 12/9/2014	rschluet 12/10/2014	_____	sbasford 12/10/2014		State

Handwritten notes:
/P2 jjs 1/26/15
[Signature] 1/26

FE Sent For:

<END>

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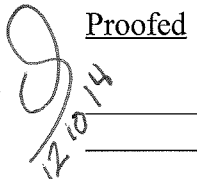
Topic:

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See attached

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/P1	zwyatt	/p1 wij 12/9					State

FE Sent For:

<END>

Gary, Aaron

From: Mette, Bryan - DOA <Bryan.Mette@wisconsin.gov>
Sent: Thursday, December 04, 2014 12:44 PM
To: Gary, Aaron
Cc: Mueller, Eric; Wyatt, Zachary; Kreye, Joseph
Subject: RE: Statutory Language Drafting Request - BB0248

- 1) Correct, it should be the tax collections from all motor fuel—gas, diesel, and others. I should have written pledge the motor fuel tax, my mistake.
- 2) The idea is that motor fuel taxes would be pledged for TRB debt service exactly like registration and title fees are i.e. all collections go directly to a third party trustee that makes the necessary principal and interest payment to bondholders, then the remaining funds are released to the state to disperse as it sees fit. With that being said, the pledge should not exclude any collections.

From: Gary, Aaron [mailto:Aaron.Gary@legis.wisconsin.gov]
Sent: Thursday, December 04, 2014 12:21 PM
To: Mette, Bryan - DOA
Cc: Mueller, Eric - LEGIS; Wyatt, Zachary - LEGIS; Kreye, Joseph - LEGIS
Subject: RE: Statutory Language Drafting Request - BB0248

Hi Bryan,

Couple questions on this one.

1. By gas tax, you are talking only about the motor vehicle fuel tax under s. 78.01, right?
2. While the motor vehicle fuel tax is generally deposited into the transportation fund under current law, under s. 73.03 (28) if the gas tax is delinquent then DOR can retain a certain amount to recover its costs of collection ("to pay contract and court costs"), with the remainder then going into the transportation fund. Do you want the motor vehicle fuel tax revenues pledged to exclude the amount that, under s. 73.03 (28), can be retained by DOR in recovering delinquent taxes?

Thanks. Aaron

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

From: CathleneH [mailto:cathleneh@gmail.com]
Sent: Monday, December 01, 2014 12:49 PM
To: Champagne, Rick; Wyatt, Zachary; Mueller, Eric
Cc: Kreye, Joseph
Subject: Fwd: Statutory Language Drafting Request - BB0248

Sent from my iPhone

Begin forwarded message:

From: <Bryan.Mette@Wisconsin.gov>
Date: December 1, 2014 at 12:30:32 PM CST

To: <cathlene.hanaman@legis.wisconsin.gov>

Cc: <Paul2.Ziegler@wisconsin.gov>, <Bryan.Mette@wisconsin.gov>, <Christopher.Connor@wisconsin.gov>

Subject: Statutory Language Drafting Request - BB0248

Biennial Budget: 2015-17

DOA Tracking Code: BB0248

Topic: Pledge Gas Tax Revenues for the Transportation Revenue Bond Program

SBO Team: TLGED

SBO Analyst: Mette, Bryan - DOA

Phone: 608-266-1039

E-mail: Bryan.Mette@Wisconsin.gov

Agency Acronym: DOA

Agency Number: 505

Priority: Medium

Intent:

Pledge gas tax collections to provide coverage for the TRB program.

Attachments: False

Please send completed drafts to SBOSatlanguage@webapps.wi.gov



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0742/P1
ZDW&JK:J:....

Wly

DOA:.....Mette, BB0248 – Pledge gas tax revenues for the Transportation Revenue Bond program

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

in 12-9-14

Do Not Gen

1 AN ACT ...; 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 and titling fee revenues that are 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 motor vehicle fuel tax revenues for the repayment of revenue bonds in the same manner as is allowed for other revenues under current law.

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.** 20.566 (1) (hm) of the statutes is amended to read:

2 20.566 (1) (hm) *Collections under contracts.* From moneys received from the
3 collection of delinquent Wisconsin taxes under s. 73.03 (28), a sum sufficient to pay
4 the costs of contracts and court costs for the collection of those taxes, other than taxes
5 under s. 78.01.

History: 1971 c. 108 ss. 2, 3, 6; 1971 c. 125 ss. 164, 173, 174, 175, 176; 1971 c. 211, 215; 1973 c. 90; 1975 c. 39 ss. 201, 732 (1); 1977 c. 29, 31, 418; 1979 c. 34 ss. 610m to 617, 2102 (46) (c); 1979 c. 63 ss. 3, 6; 1979 c. 177, 221; 1981 c. 20; 1981 c. 86 ss. 7, 71; 1981 c. 328 s. 4; 1983 a. 27 ss. 469 to 477; 1983 a. 368; 1983 a. 410 s. 2202 (38); 1985 a. 29 ss. 536 to 537r, 3202 (39) (a), (46) (c), (i); 1985 a. 41, 120; 1987 a. 27 ss. 444 to 458, 3200 (47); 1987 a. 92; 1987 a. 312 s. 17; 1987 a. 399; 1989 a. 31, 335; 1991 a. 39, 259, 269; 1993 a. 16, 205, 263, 490; 1995 a. 27 ss. 546h to 546t, 1111mm to 1119r; 1995 a. 56, 227, 351; 1997 a. 27, 35, 41, 63, 148, 237, 252; 1999 a. 5, 9; 1999 a. 150 s. 672; 1999 a. 167; 2001 a. 16; 2001 a. 30 s. 108; 2001 a. 109; 2003 a. 33, 127, 139, 176, 231; 2005 a. 25, 71, 323, 460; 2007 a. 4, 20, 85, 96; 2009 a. 2, 28, 180, 310; 2011 a. 32, 64, 76; 2013 a. 1, 20; 2013 a. 165 ss. 17, 114; 2013 a. 166 s. 77.

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

7 25.40 (1) (a) 3. Revenues collected under ss. 78.01, 341.09 (2) (d), (2m) (a) 1.,
8 (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3),
9 341.16 (1) (a) and (b), (2), (2e), and (2m), 341.17 (8), 341.19 (1), 341.25, 341.255 (1),
10 (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and
11 (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269
12 (2) (b), 341.30 (3), 341.305 (3), 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51
13 (2), and 342.14 that are pledged to any fund created under s. 84.59 (2).

History: 1971 c. 125, 211; 1973 c. 90, 333; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 199; 1977 c. 29, 274, 418, 447; 1979 c. 34; 1979 c. 361 s. 113; 1981 c. 20; 1981 c. 347 s. 80 (2), (4); 1983 a. 27, 538; 1985 a. 16 s. 15; 1985 a. 29 ss. 638p, 3202 (51); 1985 a. 120 ss. 66, 3202 (56); 1985 a. 332; 1987 a. 3, 27, 110, 399, 403; 1989 a. 31, 102, 105, 359; 1991 a. 39, 104, 189, 269, 309, 315; 1993 a. 16, 123, 205, 253, 415, 437, 491; 1995 a. 27, 113, 201, 269, 280, 445; 1997 a. 27, 35, 41, 135, 237, 255; 1999 a. 9, 32, 92, 167; 2001 a. 16; 2003 a. 33, 139; 2005 a. 25, 45, 85, 179, 199, 260, 319; 2007 a. 42, 97, 107; 2009 a. 28, 100, 135, 224, 226; 2011 a. 32, 208; 2011 a. 260 s. 80; 2013 a. 20, 188, 266, 363; s. 13.92 (1) (bm) 2.

14 **SECTION 3.** 25.40 (1) (b) of the statutes is amended to read:

15 25.40 (1) (b) Motor vehicle fuel and general aviation fuel taxes and other
16 revenues collected under ch. 78 minus the costs of collecting delinquent taxes under
17 s. 73.03 (28), except such motor vehicle fuel tax revenues as are pledged to the fund
18 created under s. 84.59 (2).

History: 1971 c. 125, 211; 1973 c. 90, 333; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 199; 1977 c. 29, 274, 418, 447; 1979 c. 34; 1979 c. 361 s. 113; 1981 c. 20; 1981 c. 347 s. 80 (2), (4); 1983 a. 27, 538; 1985 a. 16 s. 15; 1985 a. 29 ss. 638p, 3202 (51); 1985 a. 120 ss. 66, 3202 (56); 1985 a. 332; 1987 a. 3, 27, 110, 399, 403; 1989 a. 31, 102, 105, 359; 1991 a. 39, 104, 189, 269, 309, 315; 1993 a. 16, 123, 205, 253, 415, 437, 491; 1995 a. 27, 113, 201, 269, 280, 445; 1997 a. 27, 35, 41, 135, 237, 255; 1999 a. 9, 32, 92, 167; 2001 a. 16; 2003 a. 33, 139; 2005 a. 25, 45, 85, 179, 199, 260, 319; 2007 a. 42, 97, 107; 2009 a. 28, 100, 135, 224, 226; 2011 a. 32, 208; 2011 a. 260 s. 80; 2013 a. 20, 188, 266, 363; s. 13.92 (1) (bm) 2.

19 **SECTION 4.** 73.03 (28) of the statutes is amended to read:

1 73.03 (28) To enter into contracts to collect delinquent Wisconsin taxes. The
2 department shall allocate a portion of the amounts collected under ch. 78, except the
3 amounts collected under s. 78.01, through those contracts to the appropriation under
4 s. 20.566 (1) (hm) to pay contract and court costs. The department shall allocate the
5 remainder of those collections to the transportation fund under s. 25.40. The
6 department shall allocate a portion of the amount collected under chs. 71, 72, 77 and
7 139 through those contracts to the appropriation under s. 20.566 (1) (hm) to pay
8 contract and court costs. The department shall allocate the remainder of those
9 collections to the general fund.

History: 1971 c. 40, 215; 1973 c. 90; 1975 c. 39; 1977 c. 143; 1977 c. 196 s. 130 (7); 1977 c. 313; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221, 350; 1981 c. 20; 1981 c. 79 s. 18; 1983 a. 275 s. 15 (4); 1983 a. 524; 1983 a. 538 s. 269 (3); 1985 a. 12, 29, 273; 1987 a. 4, 27, 186; 1987 a. 312 s. 17; 1987 a. 328, 378, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 74, 335; 1991 a. 39, 219, 313, 316; 1993 a. 16, 112, 205, 490; 1995 a. 27 ss. 3434g to 3440m, 9145 (1); 1995 a. 209, 233; 1997 a. 27, 35, 191, 237, 252; 1999 a. 9, 31, 185; 2001 a. 16, 44, 104, 107, 109; 2003 a. 33, 127; 2005 a. 25, 259; 2007 a. 20, 86; 2009 a. 2, 28, 180, 401; 2011 a. 10, 32, 257; 2013 a. 20, 54.

10 **SECTION 5.** 84.59 (2) (b) of the statutes is amended to read:

11 84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and
12 distinct special fund outside the state treasury, in an account maintained by a
13 trustee, revenues derived under ss. 78.01, 341.09 (2) (d), (2m) (a) 1., (4), and (7),
14 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a)
15 and (b), (2), (2e), and (2m), 341.17 (8), 341.19 (1), 341.25, 341.255 (1), (2) (a), (b), and
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17 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269 (2) (b), 341.30 (3),
18 341.305 (3), 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14
19 and from any payments received with respect to agreements or ancillary
20 arrangements entered into under s. 18.55 (6) with respect to revenue obligations
21 issued under this section. The revenues deposited are the trustee's revenues in
22 accordance with the agreement between this state and the trustee or in accordance
23 with the resolution pledging the revenues to the repayment of revenue obligations

1 issued under this section. Revenue obligations issued for the purposes specified in
2 sub. (1) and for the repayment of which revenues are deposited under this paragraph
3 are special fund obligations, as defined in s. 18.52 (7), issued for special fund
4 programs, as defined in s. 18.52 (8).

History: 1983 a. 27, 212; 1985 a. 29; 1987 a. 27; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1995 a. 113; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009
a. 28, 135; 2011 a. 32; 2013 a. 20, 363.

5

(END)

Wyatt, Zachary

From: Mette, Bryan - DOA <Bryan.Mette@wisconsin.gov>
Sent: Thursday, January 15, 2015 5:28 PM
To: Wyatt, Zachary
Subject: FW: Pledge gas tax revenues for the Transportation Revenue Bond program

Amend the draft to only pledge half of the gas tax (15.45 cents) to the TRB program.

From: Christopher.Connor@wisconsin.gov [mailto:Christopher.Connor@wisconsin.gov]
Sent: Wednesday, December 10, 2014 8:55 AM
To: Mette, Bryan - DOA
Cc: Ziegler, Paul - DOA; Connor, Christopher B - DOA; Connor, Christopher B - DOA
Subject: Pledge gas tax revenues for the Transportation Revenue Bond program

We have received an LRB draft for DOA Tracking Code: BB0248

LRB Draft Number: 15-0742/P1

Drafting Attorney: Zachary Wyatt
Phone: (608) 267-3362
E-mail: Zachary.Wyatt@legis.wisconsin.gov

The [document](#) can be found in the Stat Language site on SharePoint.

Please Note: All new drafts are marked "OUT" and Final = "No" by default. Please update these fields in this record and related drafts as soon as you know if they are "IN" or Final.

Thanks,

Chris



TODAY 1/26

State of Wisconsin IN 1/23/2015
2015 - 2016 LEGISLATURE



LRB-0742/P1 P2
ZDW&JK:wjfrs

INSERT

RMNR
+j's

DOA:.....Mette, BB0248 – Pledge gas tax revenues for the Transportation Revenue Bond program

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

do NOT gen

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

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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 and titling fee revenues that are 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.

INS A

This bill allows DOT to pledge motor vehicle fuel tax revenues for the repayment of revenue bonds in the same manner as is allowed for other revenues under current law.

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

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2 20.566 (1) (hm) ~~Collections under contracts.~~ From moneys received from the
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4 the costs of contracts and court costs for the collection of those taxes, other than taxes
5 under s. 78.01.

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

7 25.40 (1) (a) 3. Revenues collected under ss. 78.01, 341.09 (2) (d), (2m) (a) 1.,
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13 (2), and 342.14 that are pledged to any fund created under s. 84.59 (2).

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17 s. 73.03 (28), except such motor vehicle fuel tax revenues as are pledged to the fund
18 created under s. 84.59 (2).

19 **SECTION 4.** 73.03 (28) of the statutes is amended to read:

20 73.03 (28) To enter into contracts to collect delinquent Wisconsin taxes. The
21 department shall allocate a portion of the amounts collected under ch. 78, except the
22 amounts collected under s. 78.01, through those contracts to the appropriation under
23 s. 20.566 (1) (hm) to pay contract and court costs. The department shall allocate the
24 remainder of those collections to the transportation fund under s. 25.40. The
25 department shall allocate a portion of the amount collected under chs. 71, 72, 77 and

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5 84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and
6 distinct special fund outside the state treasury, in an account maintained by a
7 trustee, revenues derived under ss. 78.01, 341.09 (2) (d), (2m) (a) 1., (4), and (7),
8 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a)
9 and (b), (2), (2e), and (2m), 341.17 (8), 341.19 (1), 341.25, 341.255 (1), (2) (a), (b), and
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13 ^{INS 2-13} and from any payments received with respect to agreements or ancillary
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15 issued under this section. The revenues deposited are the trustee's revenues in
16 accordance with the agreement between this state and the trustee or in accordance
17 with the resolution pledging the revenues to the repayment of revenue obligations
18 issued under this section. Revenue obligations issued for the purposes specified in
19 sub. (1) and for the repayment of which revenues are deposited under this paragraph
20 are special fund obligations, as defined in s. 18.52 (7), issued for special fund
21 programs, as defined in s. 18.52 (8).

22 (END)

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0742/P1ins
ZDW&JK:wlj:rs

- 1 **INS A**
- 2  one-half of
- 3 **INS 2-13**
- 4  , one-half of revenues collected under s. 78.01, and revenues



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0742/P2
ZDW&JK:wlj:jm

DOA:.....Mette, BB0248 – Pledge gas tax revenues for the Transportation Revenue Bond program

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

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

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This bill allows DOT to pledge one-half of motor vehicle fuel tax revenues for the repayment of revenue bonds in the same manner as is allowed for other revenues under current law.

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

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

2 25.40 (1) (a) 3. Revenues collected under ss. 78.01, 341.09 (2) (d), (2m) (a) 1.,
3 (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), (2e), and (2m), 341.17 (8), 341.19 (1), 341.25, 341.255 (1),
5 (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and
6 (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269
7 (2) (b), 341.30 (3), 341.305 (3), 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51
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13 created under s. 84.59 (2).

14 **SECTION 3.** 73.03 (28) of the statutes is amended to read:

15 73.03 (28) To enter into contracts to collect delinquent Wisconsin taxes. The
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18 s. 20.566 (1) (hm) to pay contract and court costs. The department shall allocate the
19 remainder of those collections to the transportation fund under s. 25.40. The
20 department shall allocate a portion of the amount collected under chs. 71, 72, 77 and
21 139 through those contracts to the appropriation under s. 20.566 (1) (hm) to pay
22 contract and court costs. The department shall allocate the remainder of those
23 collections to the general fund.

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

