LEGISLATIVE HEARING CALENDAR

Positions to be taken by the City of Milwaukee on the following bills will be discussed by the

COMMITTEE ON JUDICIARY-LEGISLATION

FRIDAY, SEPTEMBER 14, 2001 AT 10:15 A.M.

Room 301-B, City Hall

AJR-10	**Percentage Increase; Property Taxes Assessment**
LRB-3598	**Public Utility; Shared Revenues**
A-395	**Zoning**
A-259	**Identification; Voting**
A-421	**Elections**
A-339	**Staffing; Polling Places**
A-490	**Transportation Fund; Sales and Use Tax Receipts**

LRB–1336/2
PJD:kmg:jf

2001 ASSEMBLY JOINT RESOLUTION 10

January 16, 2001 – Introduced by Representatives PETTIS, MCCORMICK, FREESE, D. MEYER, REYNOLDS, RYBA, LADWIG, KREIBICH and F. LASEE. Referred to Committee on Tax and Spending Limitations.

To renumber and amend section 1 of article VIII; and ***to create*** section 1 (2) and (3) of article VIII of the constitution; **relating to:** limiting the annual percentage increase in property taxes assessed on real property (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2001 legislature on first consideration, provides that, beginning with real property taxes assessed by a city, village, town, or county on the January 1 after ratification, the maximum annual percentage change in the property tax on a parcel of real property for any year equals the lesser of: 1) 5%; or 2) the rate of inflation in the prior year, doubled, but not less than zero percent. The amendment provides a method by which the limit may be exceeded with elector approval.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

Resolved by the assembly, the senate concurring, That:

SECTION 1. Section 1 of article VIII of the constitution is renumbered section 1 (1) of article VIII and amended to read:

LRB–3598/1
JK&MES:cjs:rs

2001 BILL

AN ACT ***to amend*** 79.03 (4), 79.04 (1) (a), 79.04 (1) (b) 3., 79.04 (1) (c) 1., 79.04 (2) (a), 79.04 (2) (am) 3. and 79.04 (2) (b); ***to repeal and recreate*** 79.04 (2) (a); and ***to create*** 79.04 (1) (am), 79.04 (1) (c) 4., 79.04 (2) (ad), 79.04 (2) (c) and 79.04 (5) of the statutes; **relating to:** public utility shared revenue payments.

Analysis by the Legislative Reference Bureau

Under current law, generally, the property of a public utility is subject to a state tax rather than local property taxes. Instead of collecting property taxes on such property, municipalities and counties receive payments from the shared revenue account based on the value of public utility property located in the municipalities and counties. The amount of a municipality's payment is equal to the value of public utility property located in the municipality, not exceeding $125,000,000 for each utility, multiplied by either three mills, for a town, or six mills, for a city or village. However, the payment may not exceed an amount that is equal to $300 multiplied by the municipality's population. The amount of a county's payment is equal to the value of public utility property located in each municipality within the county, not exceeding $125,000,000 for each utility, multiplied by either three mills, for a city or village located within the county, or six mills, for a town located within the county. However, the amount of the county's payment may not exceed an amount that is equal to $100 multiplied by the county's population.

Under this bill, the amount of a municipality's payment related to public utility property is equal to the value of public utility property located in the municipality, not exceeding the following amounts for each utility, multiplied by either three mills,

for a town, or six mills, for a city or village: in 2003, $140,000,000; in 2004, $160,000,000; in 2005, $185,000,000; in 2006 and subsequent years, $250,000,000. However, the amount of the payment may not exceed the following amounts multiplied by the municipality's population: in 2003, $450; in 2004, $650; in 2005, $950; in 2006 and subsequent years, $1,200.

Under the bill, if a power production plant is built on the site of an existing or decommissioned power production plant or on brownfields, and operates at a power production capacity of at least 50 megawatts, the municipality in which the plant is located receives an additional payment equal to the value of the production plant, not exceeding the following amounts, multiplied by one mill, for a production plant that is neither coal–powered nor nuclear–powered, or by two mills, for a production plant that is coal–powered: in 2003, $140,000,000; in 2004, $160,000,000; in 2005, $185,000,000; in 2006 and subsequent years, $250,000,000.

Under the bill, the amount of a county's payment related to public utility property is equal to the value of public utility property located in the county, not exceeding the following amounts for each utility, multiplied by either three mills, for a city or village located within the county, or six mills, for a town located within the county: in 2003, $140,000,000; in 2004, $160,000,000; in 2005, $185,000,000; in 2006 and subsequent years, $250,000,000. However, the amount of the payment may not exceed the following amounts multiplied by the county's population: in 2003, $225; in 2004, $325; in 2005, $475; in 2006 and subsequent years, $600.

Under the bill, if a power production plant is built on the site of an existing or decommissioned power production plant or on brownfields, and operates at a power production capacity of at least 50 megawatts, the county in which the plant is located receives an additional payment equal to the value of the production plant, not exceeding the following amounts, multiplied by one mill, for any production plant that is not nuclear–powered: in 2003, $140,000,000; in 2004, $160,000,000; in 2005, $185,000,000; in 2006 and subsequent years, $250,000,000.

Under current law, if public utility property is decommissioned and thereby subject to local property taxes, the municipalities and counties in which the property is located no longer receive shared revenue payments based on the value of that property. Under the bill, shared revenue payments related to decommissioned utility property are phased out over five years.

For further information see the ***state and 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:

SECTION 1. 79.03 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

LRB–2470/1
MES:jld:rs

2001 ASSEMBLY BILL 395

May 14, 2001 – Introduced by Representatives STASKUNAS, ALBERS, SERATTI, MUSSER, STARZYK, HUBLER, HAHN, GARD, STONE, SYKORA, OWENS and PETROWSKI, cosponsored by Senators HUELSMAN, GROBSCHMIDT and WELCH. Referred to Committee on Urban and Local Affairs.

AN ACT ***to renumber and amend*** 62.23 (7) (e) 7.; ***to amend*** 62.23 (7) (e) 8.; and ***to create*** 59.694 (7) (cm) and 62.23 (7) (e) 7m. of the statutes; **relating to:** changing the standards under which certain zoning variances may be granted by a local board of adjustment or appeals.

Analysis by the Legislative Reference Bureau

Under current law, a city, village, town that is authorized to exercise village powers (municipality), or county is authorized to enact zoning ordinances that regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards and other open spaces, the density of population, and the location and use of buildings, structures, and land for various purposes.

A municipality's board of appeals or a county's board of adjustment is authorized under current law to hear and decide appeals that allege that there is an error in the enforcement of a zoning ordinance, to hear and decide special exceptions to the terms of a zoning ordinance, and to authorize a variance from the terms of a zoning ordinances. A "use" variance grants permission for a use that is not permitted by the zoning ordinance and an "area" variance relaxes restrictions on dimensions, such as setback, frontage, height, bulk, density, and area. To grant a variance, a board of appeals or board of adjustment must find four things:

1. The variance will not be contrary to the public interest.
2. Substantial justice will be done by granting the variance.
3. The variance is needed so that the spirit of the ordinance is observed.

4. Due to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship.

Although the term "unnecessary hardship" is not defined in the statutes, a recent decision of the Wisconsin supreme court, *State v. Kenosha County Board of Adjustment*, 218 Wis. 2d 396, 398 (1998), held that the legal standard of unnecessary hardship requires that the property owner demonstrate that without the variance, he or she has no reasonable use of the property.

Under this bill and subject to an exception, a local board of adjustment or appeal may grant an area variance, which will not be contrary to the public interest, solely on the grounds that strict compliance with the area provisions of a zoning ordinance either would unreasonably prevent the property owner from using the property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome. A variance may not be granted under this provision, however, for an area to which an ordinance that relates to zoning in wetlands, shorelands, or floodplains applies.

For further information see the ***state and 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:

SECTION 1. 59.694 (7) (cm) of the statutes is created to read:

59.694 **(7)** (cm) Notwithstanding par. (c), to authorize upon appeal in specific cases involving area provisions of a zoning ordinance, variances from the terms of the ordinance that will not be contrary to the public interest, solely on the grounds that strict compliance with the area provisions of the zoning ordinance either would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome. The board may make the order, requirement, decision, or determination under this paragraph without regard to any other purpose of the ordinance. A variance that may be granted under this paragraph may be granted only for an area other than an area to which an ordinance that relates to zoning in wetlands, shorelands, or floodplains, that is enacted or adopted under s. 59.692, 61.351, 62.231, or 87.30, applies.

2001 ASSEMBLY BILL 259

March 30, 2001 – Introduced by Representatives WALKER, LADWIG, GUNDRUM, HUEBSCH, M. LEHMAN, STARZYK, URBAN, SERATTI, STONE, SYKORA, KRAWCZYK, OWENS, GUNDERSON, VRAKAS, JESKEWITZ, HUNDERTMARK, LEIBHAM and OTT, cosponsored by Senators SCHULTZ, DARLING, HUELSMAN, FARROW and ROESSLER. Referred to Committee on Campaigns and Elections.

AN ACT ***to repeal*** 6.15 (3) (a) (title), 6.15 (3) (b) (title) and 6.56 (5); ***to renumber and amend*** 6.15 (3) (a) 1., 2. and 3. and 6.15 (3) (b); ***to amend*** 5.40 (6), 6.15 (2) (title), 6.15 (2) (a) (intro.), 6.29 (1), 6.55 (2) (b), 6.55 (2) (c) 1., 6.55 (2) (c) 2., 6.55 (2) (d), 6.55 (3), 6.55 (7) (c) 1., 6.55 (7) (c) 2., 6.79 (1), 6.79 (2), 6.79 (3), 6.79 (4), 6.79 (6) (a), 6.79 (6) (b), 6.82 (1) (a), 6.86 (1) (ar), 10.02 (3) (a), 343.50 (5) and 343.50 (6); ***to repeal and recreate*** 6.79 (6) (title); and ***to create*** 6.15 (2) (bm), 6.15 (2) (d) 1g., 6.15 (2) (e) and 6.79 (6) (am) of the statutes; **relating to:** identification required in order to vote at a polling place or obtain an absentee ballot and the fee for an identification card issued by the department of transportation.

Analysis by the Legislative Reference Bureau

With certain limited exceptions, before being permitted to vote at any polling place, an elector currently must provide his or her name and address. If registration is required in order to vote and the elector is not registered, the elector must provide a specified form of proof of residence in order to register. If an elector claims to be registered but his or her name does not appear on the appropriate registration list,

the elector must complete a certification of eligibility and present acceptable proof of residence in order to vote. In addition, an elector may be required to provide acceptable proof of residence even if registration is not required. If an elector is not able to present any required proof of residence, as an alternative, current law permits another qualified elector who resides in the same municipality to corroborate the elector's information.

This bill repeals the authority for an elector to utilize corroboration in order to register or vote on election day. With certain limited exceptions, this bill also requires each elector attempting to register or vote at the polls on election day to present a valid Wisconsin driver's license issued by the department of transportation (DOT) to the elector that contains the elector's photograph or present a valid Wisconsin identification card issued by DOT to the elector. Under the bill, this identification requirement also applies to any elector who applies for an absentee ballot in person at the office of the municipal clerk. In addition, this bill permits an elector who is eligible to obtain a Wisconsin identification card to obtain the card from DOT free of charge, if the elector specifically requests not to be charged.

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. 5.40 (6) of the statutes is amended to read:

5.40 **(6)** A municipality which utilizes voting machines or an electronic voting system at a polling place may permit use of the machines or system by electors voting under s. 6.15 only as authorized under s. 6.15 (3) ~~(b)~~.

SECTION 2. 6.15 (2) (title) of the statutes is amended to read:

6.15 **(2)** (title) ~~APPLICATION FOR BALLOT~~ PROCEDURE AT CLERK'S OFFICE.

SECTION 3. 6.15 (2) (a) (intro.) of the statutes is amended to read:

6.15 **(2)** (a) (intro.) The elector's request for the application form may be made to the proper municipal clerk either in person or in writing ~~any time during the 10-day period in which the elector's residence requirement is incomplete, but not later than the applicable deadline for making application for an absentee ballot.~~ Except as provided in par. (e), application may be made not sooner than 9 days nor

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2001 ASSEMBLY BILL 421

May 31, 2001 – Introduced by Representatives POCAN, BERCEAU, MILLER, BLACK, BOCK, BOYLE, LA FAVE, J. LEHMAN, RICHARDS, TURNER and WASSERMAN, cosponsored by Senators RISSER and BURKE. Referred to Committee on Campaigns and Elections.

AN ACT *to create* 7.19, 7.21 (1m), 11.21 (17) and 11.55 of the statutes; **relating to:** county, city, town, and village authority to create local elections boards and to regulate the financing of campaigns for county, city, town, and village offices, duties of municipal and county boards of election commissioners, and granting rule–making authority.

Analysis by the Legislative Reference Bureau

Currently, state law regulates the financing of campaigns for both state and local offices. Under current law, neither a county nor a town has authority to regulate the financing of campaigns for local office. A city and a village may have this authority under constitutional home rule powers if the subject of the particular city ordinance is considered to be a "local affair." This bill specifically authorizes a county, city, town, or village to enact ordinances regulating the financing of campaigns for county, city, town, or village office, respectively. An ordinance enacted under this bill becomes effective in the county, city, town, or village after the state elections board (board) certifies that the ordinance is in compliance with the provisions of this bill. The significant aspects of the authority granted under this bill include:

Local regulation of campaign contributions

Current law limits the amount of contributions that may be given to and accepted by a candidate for local office. The maximum amount that an individual may contribute to a local campaign is the greater of $250 or one cent times the

population of the jurisdiction for which the candidate seeks office, but not more than $3,000. The maximum amount that a committee other than a political party committee or legislative campaign committee may contribute to a local campaign is the greater of $200 or three–fourths of one cent times the population of the jurisdiction for which the candidate seeks office, but not more than $2,500. Current law also prohibits an individual from contributing an aggregate total of more than $10,000 in a calendar year to all candidates for state and local office. Currently, for the purpose of determining compliance with campaign finance laws, a contribution transferred from a conduit is treated as a contribution from the original contributor.

In addition, current law limits the aggregate amount of contributions that a candidate for local office may accept from all political committees, including political party committees. For candidates for county office in a county with a population of 500,000 or more (currently, Milwaukee County), these maximum aggregate amounts are approximately as follows:

1. County executive, $175,200.
2. County supervisor, $11,200.
3. Other county offices, $70,100.

For candidates for city office in a first class city (currently, Milwaukee), these maximum aggregate amounts are approximately as follows:

1. Mayor, $175,200.
2. City attorney, $105,100.
3. Alderperson, $11,200.
4. Other city offices, $70,100.

For candidates for local office in a jurisdiction with a population of less than 500,000, these maximum aggregate amounts are approximately 65% of the greater of $1,075, 53.91% of the annual salary for the office, or the product of $32.35 times the population of the jurisdiction for which the candidate seeks office. However, these maximum aggregate amounts may not be more than $28,000.

Furthermore, current law limits the aggregate amount of contributions that a candidate for local office may accept from committees other than political party and legislative campaign committees. For candidates for county office in a county with a population of 500,000 or more, these maximum aggregate amounts are approximately as follows:

1. County executive, $121,300.
2. County supervisor, $7,800.
3. Other county offices, $48,500.

For candidates for city office in a first class city (currently only Milwaukee), these maximum aggregate amounts are approximately as follows:

1. Mayor, $121,300.
2. City attorney, $72,800.
3. Alderperson, $7,800.
4. Other city offices, $48,500.

For candidates for local office in a jurisdiction with a population of less than 500,000, these maximum aggregate amounts are approximately 45% of the greater of $1,075, 53.91% of the annual salary for the office, or the product of $32.35 times

the population of the jurisdiction for which the candidate seeks office. However, these maximum aggregate amounts may not be more than $19,400.

This bill permits a county, city, town, or village to enact an ordinance that reasonably limits the making and acceptance of contributions with respect to elections for county, city, town, or village office, respectively. The ordinance may prohibit a candidate or a committee from accepting any contribution made or transferred in violation of the ordinance. In addition, similar to current law, the ordinance may reasonably limit the aggregate amount of contributions that a candidate may accept from committees. Similar to current law, the ordinance may also reasonably limit the amount of contributions that an individual or a committee may make with respect to a particular election and may limit the aggregate amount of contributions that an individual may make in a calendar year with respect to all elections for county, city, town, or village office, as is applicable. An ordinance enacted by a county may exempt from any limitation on contributions created under the ordinance contributions from a political party committee. Unlike current law, however, the maximum amount of allowable individual or committee contributions under the ordinance may be less than the maximum amount allowed under current law. In addition, unlike current law, the ordinance may limit the total amount of contributions that may be transferred by a conduit with respect to elections for county, city, town, or village office.

Local public financing of campaigns for local office

This bill permits a county, city, town, or village to enact an ordinance appropriating money to pay for campaign expenses of candidates for county, city, town, or village office, respectively. The ordinance may impose reasonable qualifications that a candidate must meet in order to receive funding under the ordinance. The ordinance also may require a candidate, as a condition of receiving funding under the ordinance, to agree to limit the candidate's contributions to his or her own campaign or the candidate's campaign spending or both.

Enforcement of local campaign finance ordinances

Under current law, every city and county with a population of greater than 500,000 must establish a city or county board of election commissioners. The city or county board of election commissioners has general authority to administer elections in the city or county. For example, with certain exceptions, a city or county board of election commissioners is required to carry out all powers and duties assigned to the municipal or county clerks or the city or county board of canvassers under the election laws. Current law does not authorize a city or county with a population of 500,000 or less to establish a board of election commissioners.

This bill permits a city or county that enacts a local campaign finance ordinance under this bill and that has a population of 500,000 or less to create a local elections board to enforce the ordinance. In addition, this bill requires a city or county that enacts a local campaign finance ordinance under this bill and that has a population that is greater than 500,000 to enact an ordinance requiring the city or county board of election commissioners to enforce the local campaign finance ordinance. The ordinance providing for enforcement by either the local elections board or the city or county board of election commissioners (enforcement ordinance) may include

provisions authorizing the local elections board or the board of election commissioners to do any of the following:

1. Investigate any alleged violation of the local campaign finance ordinance.

2. Receive and hear any verified complaint alleging a violation of the local campaign finance ordinance.

3. Issue subpoenas and administer oaths.

4. Refer any complaint or matter investigated by it to the appropriate prosecuting attorney.

5. Issue a formal opinion, upon request, regarding the application of the local campaign finance ordinance. Under the bill, the person requesting the formal opinion is not subject to prosecution under the ordinance for acting in accordance with the opinion if the material facts are as stated in the opinion.

In addition, the enforcement ordinance may direct the corporation counsel, or the district attorney in a county that does not have a corporation counsel, to provide counsel to a local elections board created by a county or to a county board of election commissioners regarding the administration of a local campaign finance ordinance enacted under this bill. The enforcement ordinance may also require a city, town, or village attorney to provide similar counsel to a city board of election commissioners or to a local elections board created by a city, town, or village, respectively. Furthermore, the enforcement ordinance may direct the county, city, town, or village clerk to provide administrative support services to the local elections board or city or county board of election commissioners.

Local campaign finance registration and reporting

Under current law, with certain limited exceptions, any candidate for local office and any organization or individual acting in support of or in opposition to any candidate for local office must file a registration statement and various campaign finance reports with the clerk or board of election commissioners in the most populous jurisdiction for which the candidate seeks office. This bill allows a county, city, town, or village to enact an ordinance requiring any organization which or individual who takes certain actions regarding the financing of an election for county, city, town, or village office to provide the county, city, town, or village with a copy of of any registration statement or campaign finance report that, under current law, the organization or individual files with another filing officer or agency.

In addition, this bill allows a county, city, town, or village to enact an ordinance requiring electronic filing of any campaign finance reports filed with the county, city, town, or village. This bill requires a county, city, town, or village enacting an electronic filing ordinance to provide an exception from electronic filing for indigent persons. Currently, registrants who or which are required to file campaign finance reports with the state elections board in an electronic format may purchase the necessary computer software from the board. This bill requires the board also to sell a copy of this software to each registrant who is required to file electronically with a county, city, town, or village.

LRB-1892/2
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2001 ASSEMBLY BILL 339

April 18, 2001 – Introduced by Representatives STARZYK, J. LEHMAN, TURNER, RYBA, VRAKAS, MILLER, HUBER, BALOW, GUNDERSON, STONE, WADE, OTT and SKINDRUD, cosponsored by Senators WIRCH, ROBSON, PLACHE and DARLING. Referred to Committee on Campaigns and Elections.

AN ACT ***to amend*** 7.30 (1), 7.30 (2) (a) and (b), 7.30 (4) (a), 7.30 (4) (b) 1. and 2., 7.30 (4) (c), 7.30 (5), 7.30 (6) (a), 7.30 (6) (c), 7.33 (2) and 60.24 (3) (a) of the statutes; **relating to:** appointment of election officials and staffing of polling places.

Analysis by the Legislative Reference Bureau

Currently, the normal staffing level for a polling place is seven inspectors (poll workers), but the municipal governing body or, in cities having a population of more than 500,000, the board of election commissioners may reduce that number to three. If a municipal governing body designates a polling place to serve more than one ward or a municipality uses more than one voting machine at a polling place, the governing body or board of election commissioners may appoint additional election officials. A municipal governing body may provide for the selection of alternate officials. Municipal clerks and boards of election commissioners are directed to reassign inspectors from one polling place to another in order to ensure adequate staffing levels at all polling places.

Currently, election officials must be electors of the municipality in which the officials serve. In addition, election officials who serve at a polling place are generally required to be a qualified elector of the ward for which the polling place is established, whenever a municipality is divided into wards. However, special voter registration deputies who register electors at a polling place on election day, election officials who are appointed to work at a polling place that serves more than one ward, or election officials who are appointed to fill a temporary or permanent vacancy need

not be electors of any particular ward, but must be electors of the municipality in which the election officials serve.

Election officials currently must be appointed from nominations submitted by local political party committeemen and committeewomen, but if there are no committeemen or committeewomen or if insufficient nominations are made, appointments may be made without regard to party affiliation.

This bill permits municipal governing bodies to provide for the appointment of reserve inspectors who are qualified electors of this state. Municipalities may use reserve inspectors in order to ensure adequate staffing at any polling place where the number of regularly appointed inspectors serving is insufficient to adequately serve the number of electors that are reasonably expected to vote. The reserve inspectors need not be appointed on the basis of party affiliation and need not be qualified electors of the specific municipality, ward, or area served by the polling place at which they serve. The reserve inspectors must take an oath of office. Their term of office under the bill is two years. This bill also provides that special voter registration deputies who register electors at a polling place on election day and election officials who are appointed to fill temporary or permanent vacancies need not be electors of the municipality in which the officials serve, but must be qualified electors of this state.

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:

SECTION 1. 7.30 (1) of the statutes is amended to read:

7.30 **(1)** NUMBER. ~~There~~ Except as authorized or required under this subsection and ss. 7.15 (1) (k) and 7.32, there shall be 7 inspectors for each polling place at each election. In municipalities where voting machines ~~are~~ or any electronic voting system is used, the municipal governing body may reduce the number of inspectors to 5. A municipal governing body may provide for the appointment of additional inspectors whenever more than one voting machine is used or wards are combined under s. 5.15 (6) (b). A municipal governing body may provide for the appointment of reserve inspectors who may be called by the municipal clerk or board of election commissioners to serve at a polling place for any election in addition to the regularly appointed inspectors whenever the number of regularly appointed inspectors

LRB–3499/1
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2001 ASSEMBLY BILL 490

September 10, 2001 – Introduced by Representatives STONE, WALKER, FREESE, GRONEMUS, PETROWSKI, HUEBSCH, MUSSER, LIPPERT, SYKORA, MCCORMICK, URBAN, STASKUNAS, PLALE and VRAKAS, cosponsored by Senators ROESSLER and SCHULTZ. Referred to Committee on Transportation.

AN ACT ***to create*** 20.855 (4) (fn) and 77.65 of the statutes; **relating to:** the transfer of sales and use tax receipts to the transportation fund and making an appropriation.

Analysis by the Legislative Reference Bureau

Under this bill, on July 1, 2004, 10% of the amount of the sales tax and use tax paid on the sale or use of motor vehicles and motor vehicle parts in the immediately preceding calendar year is transferred to the transportation fund. On each July 1 thereafter, the amount of such taxes to be transferred to the transportation fund is increased by 10% until on July 1, 2013, and on each July 1 thereafter, 100% of such taxes are transferred to the transportation fund.

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. 20.855 (4) (fn) of the statutes is created to read:

20.855 **(4)** (fn) *Transfer to transportation fund; sales and use tax receipts related to motor vehicles.* Beginning on July 1, 2004, and on each July 1 thereafter, to be