

## 2009 DRAFTING REQUEST

### Bill

Received: 09/11/2008

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Donald Friske (608) 266-7694**

By/Representing: **Tim Gary**

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

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **EVM**

Submit via email: **YES**

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

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Gold star special plates; fee for parents and spouses

---

### 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 09/19/2008	nmatzke 09/29/2008		_____			State
/1			jfrantze 09/29/2008	_____	cduerst 09/29/2008		State
/2	agary 07/30/2009	nmatzke 07/31/2009	mduchek 07/31/2009	_____	sbasford 07/31/2009	sbasford 09/01/2009	

FE Sent For: "12" @ intro. 9/23/09

<END>

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/?	agary 09/19/2008	nmatzke 09/29/2008		_____			State
/1			jfrantze 09/29/2008	_____	cduerst 09/29/2008		State
/2	agary 07/30/2009	nmatzke 07/31/2009	mduchek 07/31/2009	_____	sbasford 07/31/2009		

FE Sent For:

<END>

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/?	agary 09/19/2008	nmatzke 09/29/2008		_____			State
/1		1/2 nwn 7/31	jfrantze 09/29/2008	_____	cdurst 09/29/2008		
FE Sent For:			md 9/31	_____			
				_____			

**<END>**

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1?	agary	<i>h nwn 1 jld 9/26</i>	<i>6 9/29</i>	<i>JLP 9/29</i>			

FE Sent For:

<END>

**Gary, Aaron**

---

**From:** Gary, Tim  
**Sent:** Thursday, September 11, 2008 1:19 PM  
**To:** Gary, Aaron  
**Subject:** Email from LRB Website

Aaron,

Rick,

Could you please redraft 2007-08 AB 680 for the upcoming 2009-10 legislative session?

---

Tim Gary  
***Research Assistant to  
Representative Don Fiske***  
Wisconsin State Assembly  
Committee on Forestry, Chair

---

in 9/19

-0207/1  
LRB-22034

ARG: [unclear]

9

nwn+  
jld

RMNR

2007 ASSEMBLY BILL 680

P.W.F. ✓

B-Note

SA 07/1  
09/1 ✓  
x-ref ✓

January 10, 2008 - Introduced by Representatives FRISKE, PETROWSKI, TURNER, BIES, MEYER, MUSSER, MURSAU, BERCEAU, LOTHIAN, KLEEFISCH, ALBERS, KERKMAN, SHERIDAN and A. WILLIAMS, cosponsored by Senators SCHULTZ, GROTHMAN and ROESSLER. Referred to Committee on Transportation.

x

Regen ✓

- 1 AN ACT *to amend* 25.40 (1) (a) 3., 84.59 (2) (b) and 341.145 (3); and *to create*
- 2 341.26 (8) of the statutes; **relating to:** registration fees for certain motor
- 3 vehicles issued special registration plates. ✓

**Analysis by the Legislative Reference Bureau**

Under current law, any group or organization may apply to the Department of Transportation for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

Current law recognizes as an authorized special group persons who have had an immediate family member die ~~in combat~~ while serving in the U.S. armed forces. "Immediate family member" includes a spouse, grandparent, parent, sibling, child, and others. These persons may obtain special plates displaying a gold star flag (gold star plates). Unlike most special plates, these gold star plates are not subject to any additional fee for their issuance or reissuance. However, the vehicle owner is required to pay the regular registration fee and, if the plates are personalized, any additional fee for having the plates personalized.

Insert ANAL

or loss

This bill establishes a special registration fee for vehicles issued gold star plates registered by spouses or parents ~~of persons who have died in combat while~~ **if** serving in the U.S. armed forces. The bill provides an initial registration fee for these

x  
x

the deceased service member's

**ASSEMBLY BILL 680**

vehicles that is generally the regular registration fee that would ordinarily apply for the same vehicle type, but then exempts the vehicle from all registration renewal fees thereafter. The bill does not affect the applicable fee for personalizing gold star plates.

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:***

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. 341.09 (2) (d), (2m) (a) 1., (4), and  
3 (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1)  
4 (a) and (b), (2), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and  
5 (c), (4), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), and (8),  
6 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3),  
7 341.305 (3), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, except s. 342.14  
8 (1r), that are pledged to any fund created under s. 84.59 (2).

9 SECTION 2. 84.59 (2) (b) of the statutes is amended to read:

10 84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and  
11 distinct special fund outside the state treasury, in an account maintained by a  
12 trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),  
13 (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),  
14 and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), (4), and  
15 (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), and (8), 341.264 (1),  
16 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3),  
17 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, except s. 342.14 (1r). The  
18 revenues deposited are the trustee's revenues in accordance with the agreement  
19 between this state and the trustee or in accordance with the resolution pledging the

✓  
insert  
2-10

**ASSEMBLY BILL 680**

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

5 **SECTION 3.** 341.145 (3)<sup>✓✓</sup> of the statutes is amended to read:

6 341.145 (3) In addition to the regular application fee provided under s. 341.25  
 7 (1) (a), (c), or (j) or (2) or 341.26 (3) (a) 2. or (am) or<sup>✓✓</sup> (8), the applicant for a personalized  
 8 registration plate issued on an annual basis shall pay a fee of \$15 for the issuance  
 9 of the plate and \$15 in each succeeding year to maintain the plate. In addition to the  
 10 regular application fee provided under s. 341.25 (1) (b) or 341.26 (3) (a) 1. or<sup>✓✓</sup> (8), the  
 11 applicant for a personalized registration plate issued on a biennial basis shall pay  
 12 a fee of \$30 for issuance of the plate if the plate is issued during the first year of the  
 13 biennial registration period or \$15 for issuance of the plate if the plate is issued  
 14 during the 2nd year of the biennial registration period. The fee to maintain a  
 15 personalized plate issued on a biennial basis is \$30. The fee for reissuance of a  
 16 personalized plate shall be \$15 for an annual registration and \$30 for a biennial  
 17 registration. An applicant for personalized plates issued under sub. (1) (b) or (c)<sup>✓</sup>

18 including those for which the fee is established under s. 341.26<sup>✓</sup> (8). shall not be  
 19 required to pay the fee for initial issuance of the plates.

20 **SECTION 4.** 341.26 (8)<sup>✓✓✓</sup> of the statutes is created to read:

21 341.26 (8) CERTAIN VEHICLES DISPLAYING<sup>✓</sup> GOLD STAR FLAG SPECIAL PLATES. The fee  
 22 for original registration of a vehicle that is issued special group registration plates  
 23 under s. 341.14 (6r) (f) 19m.<sup>✓</sup> and that is registered by the spouse or parent of a person<sup>✓</sup>  
 24 who has died in combat while serving in the U.S. armed forces shall be the regular  
 25 annual fee under s. 341.25<sup>✓✓</sup> or <sup>the</sup> (regular biennial fee under s. 341.26<sup>✓</sup> for the type of

*deceased service member's*

**ASSEMBLY BILL 680**

**SECTION 4**

1 vehicle, except that the fee for a vehicle that has a gross weight of more than <sup>✓</sup>8,000  
2 pounds may be no more than the annual or biennial fee for a similar vehicle that has  
3 a gross weight of not more than 8,000 <sup>✓</sup>pounds. No fee may be charged for each  
4 renewal of registration of the vehicle.

**SECTION 5. Nonstatutory provisions.**

5  
6 (1) Any individual <sup>and deceased service members</sup> who is the spouse or parent <sup>of a person who has died in</sup>  
7 <sup>combat while serving in the U.S. armed forces and</sup> who is the owner of any <sup>a</sup> vehicle  
8 for which, on the effective date of this subsection, <sup>✓</sup>the vehicle's current registration  
9 requires the vehicle to display special group registration plates issued under section  
10 <sup>✓</sup>341.14 (6r) (f) 19m. of the statutes may, at the time for renewal of registration of the  
11 vehicle, treat the application for renewal of registration as an application for original  
12 registration for purposes of section <sup>✓</sup>341.26 <sup>✓</sup>(8) of the statutes, as created by this act,  
13 pay the fee specified in section <sup>✓</sup>341.26 <sup>✓</sup>(8) of the statutes, as created by this act, and  
14 thereafter not be subject to any fee for renewal of registration of the vehicle. <sup>✓</sup>

**SECTION 6. Initial applicability.**

15  
16 (1) <sup>✓</sup>This act first applies to applications for vehicle registration received by the  
17 department of transportation <sup>✓</sup>on the effective date of this subsection.

**SECTION 7. Effective date.**

18  
19 (1) This act takes effect on the first day of the <sup>✓</sup>4th month beginning after  
20 publication.

21 (END)

*D-Note*

2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0207/lins  
ARG:.....

**INSERT ANAL:**

> (no P), or in forces incorporated as part of the U.S. armed forces, if the immediate family member is eligible for a gold star lapel button under federal law

**INSERT 2-10:**

84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and distinct special fund outside the state treasury, in an account maintained by a trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), (4), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), and (8), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, except s. 342.14 (1r), and from any payments received with respect to agreements or ancillary arrangements entered into under s. 18.55 (6) with respect to revenue obligations issued under this section. The revenues deposited are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section. Revenue obligations issued for the purposes specified in sub. (1) and for the repayment of which revenues are deposited under this paragraph are special fund obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in s. 18.52 (8).

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

Date

LRB-0207/1dn

ARG:.....

nwnt  
JLD

ATTN: Tim Gary

2007 Wisconsin Act 160<sup>✓</sup> amended s. 341.14 (6r)<sup>✓</sup> (f) 19m.<sup>✓</sup>, modifying the eligibility standard for issuance of gold star special plates, including eliminating a portion of the phrase "die in<sup>✓</sup>combat." I have had to make some adjustments in redrafting bill sections 4 and 5 of the attached draft due to the changes in Act 160.<sup>✓</sup>

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

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

LRB-0207/1dn  
ARG:nwn&jld:jf

September 29, 2008

ATTN: Tim Gary

2007 Wisconsin Act 160 amended s. 341.14 (6r) (f) 19m., modifying the eligibility standard for issuance of gold star special plates, including eliminating a portion of the phrase "die in combat." I have had to make some adjustments in redrafting bill sections 4 and 5 of the attached draft due to the changes in Act 160.

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Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.wisconsin.gov](mailto:aaron.gary@legis.wisconsin.gov)

7/30

Tim - Rep. Friske

• 0207 - gold star 6-7694

• limit cost

- each parent or spouse that is eligible  
is eligible for one vehicle

- multiple names in registration / title

- one by yourself or in  
multiple

- ~~name or address~~

- want ASAP



Wanted  
in 7/31

in 7/30

RMR

**2009 BILL**

Editors: Re Act 28 +  
ss. 25.40 (1) (a) 3. and 84.59 (2) (b),  
I think revisor can merge

SA ✓

Regen.

1 AN ACT *to amend* 25.40 (1) (a) 3., 84.59 (2) (b) and 341.145 (3); and *to create*  
2 341.26 (8) of the statutes; **relating to:** registration fees for certain motor  
3 vehicles issued special registration plates. ✓

***Analysis by the Legislative Reference Bureau***

Under current law, any group or organization may apply to the Department of Transportation for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

Current law recognizes as an authorized special group persons who have had an immediate family member die while serving in the U.S. armed forces, or in forces incorporated as part of the U.S. armed forces, if the immediate family member is eligible for a gold star lapel button under federal law. "Immediate family member" includes a spouse, grandparent, parent, sibling, child, and others. These persons may obtain special plates displaying a gold star flag (gold star plates). Unlike most special plates, these gold star plates are not subject to any additional fee for their issuance or reissuance. However, the vehicle owner or lessee is required to pay the regular registration fee and, if the plates are personalized, any additional fee for having the plates personalized.

This bill establishes a special registration fee for vehicles issued gold star plates if registered by the deceased service member's spouse or parent. The bill provides

**BILL**

an initial registration fee for these vehicles that is generally the regular registration fee that would ordinarily apply for the same vehicle type, but then exempts the vehicle from all registration renewal fees thereafter. The bill does not affect the applicable fee for personalizing gold star plates.

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:**

MSL + AMAL

① SECTION 1. 25.40 (1) (a) 3. of the statutes <sup>as affected by 2009 Wisconsin Act 28</sup> is amended to read: section 669

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

9 SECTION 2. 84.59 (2) (b) of the statutes <sup>as affected by 2009 Wisconsin Act 28</sup> is amended to read: section 1927

10 84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and  
11 distinct special fund outside the state treasury, in an account maintained by a  
12 trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),  
13 (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),  
14 and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), ~~(4)~~ and  
15 (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), and (8). (a) ✓  
16 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3),  
17 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, except s. 342.14 (1r), and  
18 from any payments received with respect to agreements or ancillary arrangements  
19 entered into under s. 18.55 (6) with respect to revenue obligations issued under this

**BILL**

1 section. The revenues deposited are the trustee's revenues in accordance with the  
2 agreement between this state and the trustee or in accordance with the resolution  
3 pledging the revenues to the repayment of revenue obligations issued under this  
4 section. Revenue obligations issued for the purposes specified in sub. (1) and for the  
5 repayment of which revenues are deposited under this paragraph are special fund  
6 obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in  
7 s. 18.52 (8). ✓

8 **SECTION 3.** ✓ 341.145 (3) of the statutes is amended to read:

9 341.145 (3) In addition to the regular application fee provided under s. 341.25  
10 (1) (a), (c), or (j) or (2) or 341.26 (3) (a) 2. or (am) <sup>(a)</sup> or (8), the applicant for a personalized  
11 registration plate issued on an annual basis shall pay a fee of \$15 for the issuance  
12 of the plate and \$15 in each succeeding year to maintain the plate. In addition to the  
13 regular application fee provided under s. 341.25 (1) (b) or 341.26 (3) (a) 1. <sup>(a)</sup> or (8), the  
14 applicant for a personalized registration plate issued on a biennial basis shall pay  
15 a fee of \$30 for issuance of the plate if the plate is issued during the first year of the  
16 biennial registration period or \$15 for issuance of the plate if the plate is issued  
17 during the 2nd year of the biennial registration period. The fee to maintain a  
18 personalized plate issued on a biennial basis is \$30. The fee for reissuance of a  
19 personalized plate shall be \$15 for an annual registration and \$30 for a biennial  
20 registration. An applicant for personalized plates issued under sub. (1) (b) or (c) shall  
21 not be required to pay the fee for initial issuance of the plates.

22 **SECTION 4.** ✓ 341.26 (8) of the statutes is created to read: (a) Subject to par. (b), ✓

23 341.26 (8) CERTAIN VEHICLES DISPLAYING GOLD STAR FLAG SPECIAL PLATES. The fee  
24 for original registration of a vehicle that is issued special group registration plates  
25 under s. 341.14 (6r) (f) 19m. and that is registered by the deceased service member's

**BILL**

1 spouse or parent shall be the regular annual fee under s. 341.25 or the regular  
2 biennial fee under s. 341.26 for the type of vehicle, except that the fee for a vehicle  
3 that has a gross weight of more than 8,000 pounds may be no more than the annual  
4 or biennial fee for a similar vehicle that has a gross weight of not more than 8,000  
5 pounds. No fee may be charged for each renewal of registration of the vehicle.

**SECTION 5. Nonstatutory provisions.**

Subject to section 341.26(8)(b) of the statutes, as created by this act, ✓

6  
7 (1) Any individual who is the owner of a vehicle for which, on the effective date  
8 of this subsection, the vehicle's current registration requires the vehicle to display  
9 special group registration plates issued under section 341.14 (6r) (f) 19m. of the  
10 statutes and who is the deceased service member's spouse or parent may, at the time  
11 for renewal of registration of the vehicle, treat the application for renewal of  
12 registration as an application for original registration for purposes of section 341.26  
13 (8) of the statutes, as created by this act, pay the fee specified in section 341.26 (8) ✓ (a)  
14 of the statutes, as created by this act, and thereafter not be subject to any fee for  
15 renewal of registration of the vehicle.

**SECTION 6. Initial applicability.**

16  
17 (1) This act first applies to applications for vehicle registration received by the  
18 department of transportation on the effective date of this subsection.

**SECTION 7. Effective date.**

19  
20 (1) This act takes effect on the first day of the 4th month beginning after  
21 publication.

22 (END)

Insert 4-5 →

7

13

2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0207/2ins  
ARG:.....

1           **INSERT ANAL:**

2           (no P) A vehicle owner may register only one vehicle at this special registration fee.

3           **INSERT 4-5:**

4           (b) A vehicle owner may register only one vehicle at the special registration fee  
5           specified in par. (a).<sup>✓</sup> The vehicle owner shall register any additional vehicles at the  
6           vehicle's regular registration fee.<sup>✓</sup> For purposes of this paragraph,<sup>✓</sup> if a vehicle is  
7           owned by 2 or more persons and the vehicle is registered at the special registration  
8           fee specified in par. (a),<sup>✓</sup> none of the vehicle's owners may register additional vehicles  
9           at the special registration fee specified in par. (a).<sup>✓</sup>

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**Basford, Sarah**

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**From:** Gary, Tim  
**Sent:** Monday, August 31, 2009 4:42 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-0207/2 Topic: Gold star special plates; fee for parents and spouses

Please Jacket LRB 09-0207/2 for the ASSEMBLY.