

2013 DRAFTING REQUEST

Bill

Received: 7/29/2013 Received By: emueller
Wanted: As time permits Same as LRB: -1113
For: Joel Kleefisch (608) 266-8551 By/Representing: Ashlee Moore
May Contact: Drafter: emueller
Subject: Transportation - motor vehicles Addl. Drafters:
Extra Copies: ARG

Submit via email: YES
Requester's email: Rep.Kleefisch@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Special plates associated with the ALS Association, Wisconsin chapter

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	emueller 7/29/2013	evinz 7/29/2013	jmurphy 7/29/2013	_____	lparisi 7/29/2013	lparisi 7/29/2013	State

FE Sent For:

<END>

At
Intro.

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/1	emueller	1/1 epv	Jan 7/29	self			State

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self

FE Sent For:

<END>

Jacket for
 Assembly
 please
 Li

Mueller, Eric

From: Moore, Ashlee
Sent: Monday, July 29, 2013 12:10 PM
To: Mueller, Eric
Subject: FW: ALS license plate co-sponsorship memo

Eric

I understand you can help me with another request I have regarding a draft that was done by Aaron Gary. I need the companion bill for LRB 1113/1 jacketed for the Assembly. As you can see below, we are going to be introducing a bill with Senator Farrow's office, they have already gotten their draft jacketed and are waiting for me to do the same. The draft was pending our review and Rep. Kleefisch's former RA did not follow up and get it jacketed before he left.

Please let me know if you have any questions. Thanks!

Ashlee Moore

Representative Joel Kleefisch – 38th Assembly District
307 North, State Capitol – (608) 266-8551

From: Rausch, Scott
Sent: Monday, July 29, 2013 12:01 PM
To: Moore, Ashlee
Subject: ALS license plate co-sponsorship memo

Ashlee,

Could you please take a look at this and let me know if you think it is good to go. All I need from you is the LRB number for the Assembly Draft. I would like to get this out sometime this afternoon.

Scott

CO-SPONSORSHIP MEMO

Date: Monday, July 29, 2013

To: Legislative Colleagues

From: Senator Paul Farrow & Representative Joel Kleefisch

Re: LRB-1113/1 & LRB #### ; Special Distinguishing Registration Plates Associated with the ALS Association – Wisconsin Chapter

Deadline: 5:00 p.m. Friday, August 2, 2013

This bill allows for the creation of a special group license plate, for the ALS Association – Wisconsin Chapter.

This issue was brought to my attention by a constituent, Mr. Thomas Kettler, whose family has been directly affected by ALS. Mr. Kettler serves on the Board of Directors of the ALS Association – Wisconsin Chapter. He has shared information regarding the devastating impact of ALS, the need for more research, and about the vital support that the ALS Association provides to individuals and families all across the state of Wisconsin.

A bit of background about the ALS disease, and the organization that this bill is designed to help. Amyotrophic Lateral Sclerosis – abbreviated ALS, and also known as Lou Gehrig’s Disease – is a disease that is 100% fatal. It is a rapidly progressive neurological disorder that attacks the nerve cells responsible for controlling voluntary muscle movement. The average patient survives between 2-5 years, and the condition afflicts people of all ages, race, and backgrounds.

The ALS Association – Wisconsin Chapter is a non-profit 501 (C) (3) organization that is dedicated to helping Wisconsin ALS patients and their families, and to raising public awareness about the disease and generating research funds. There are currently over 300 Wisconsin residents that have ALS that are being helped by the Wisconsin Chapter.

LRB 1113/1 & LRB allow for a special group license plate to be created for the ALS Association – Wisconsin Chapter. The goal of the license plate is two-fold: to gain public awareness of ALS, and to raise funds to fight the disease.

The legislation is very clear. All individuals who choose to purchase the special plate must first pay the regular vehicle registration fee. The special plate members would then pay a \$15 fee for issuance or reissuance of the special plates, and a \$25 annual fee that provides funds to the ALS Association – Wisconsin Chapter. All funds generated by the special plate would first go to defray the start-up costs incurred by the DOT, estimated to be \$23,700. **There is no additional cost to the State, and no taxpayer funds would be involved.**

This initiative is non-partisan, and I truly hope we can generate support for patients and families all across Wisconsin who struggle with this affliction.

If you have any questions or would like to sign-on to this bill, please contact Scott Rausch in Senator Farrow’s office at 6-9174 or Ashlee Moore in Representative Kleefisch’s office at 6-8551.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) 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. Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special plates supporting the Wisconsin Chapter of the Amyotrophic Lateral Sclerosis (ALS, also referred to as "Lou Gehrig's Disease") Association. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and a \$25 annual fee that provides funds to the ALS Association, Wisconsin Chapter. If the special plates will display any logo or symbol associated with the ALS

Association, DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with the ALS Association on these special plates.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1113/1 2791/1

ARG:eev:rs

EVM:eev:

2013 BILL

7/29/13

RMNR

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in
7/29

reg'n

Today

1 AN ACT to amend 341.14 (6r) (b) 1. and 341.14 (6r) (fm) 7.; and to create 20.395
2 (5) (ei), 25.40 (1) (a) 30., 341.14 (6r) (b) 15., 341.14 (6r) (f) 62. and 341.14 (10)
3 of the statutes; relating to: special distinguishing registration plates
4 associated with the ALS Association and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) 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.

Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special plates supporting the Wisconsin Chapter of the Amyotrophic Lateral Sclerosis (ALS, also referred to as "Lou Gehrig's Disease") Association. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and a \$25 annual fee that provides funds to the ALS Association, Wisconsin

BILL

Chapter. If the special plates will display any logo or symbol associated with the ALS Association, DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with the ALS Association on these special 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.** 20.395 (5) (ei) of the statutes is created to read:

2 20.395 (5) (ei) *Payments to the ALS Association.* From the general fund, all
3 moneys received under s. 341.14 (6r) (b) 15. for payments to the ALS Association,
4 Wisconsin Chapter, under s. 341.14 (10).

5 **SECTION 2.** ³²25.40 (1) (a) ~~30~~ of the statutes is created to read:

6 ³²25.40 (1) (a) ~~30~~. Moneys received under s. 341.14 (6r) (b) 15. that are deposited
7 into the general fund and credited to the appropriation account under s. 20.395 (5)
8 (ei).

9 **SECTION 3.** 341.14 (6r) (b) 1. of the statutes is amended to read:

10 341.14 (6r) (b) 1. Subject to subd. 1m., upon application to register an
11 automobile or motor home, or a motor truck, dual purpose motor home or dual
12 purpose farm truck which has a gross weight of not more than 8,000 pounds, or a
13 farm truck which has a gross weight of not more than 12,000 pounds, by any person
14 who is a resident of this state and a member of an authorized special group, the
15 department shall issue to the person special plates whose colors and design shall
16 indicate that the vehicle is owned by a person who is a member of the applicable
17 special group. The department may not issue any special group plates under par. (f)
18 55., 60., or 61r. until 6 months after the department has received information
19 sufficient for the department to determine that any approvals required for use of any

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1 logo, trademark, trade name or other commercial symbol designating the
2 professional football team or professional baseball team or associated with
3 Harley-Davidson, Inc., have been obtained. Subject to ~~sub.~~ subs. (9) (d) and (10) (d),
4 the department may not issue any special group plates under par. (f) 61m. or 62. until
5 the department has received information sufficient for the department to determine
6 that any license or other approval required for use of any logo, trademark or service
7 mark, trade name or other commercial symbol to be used on or in association with
8 these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of
9 corrections does not have flat-plate technology available for use in manufacturing
10 license plates at quality and cost comparable to that available from the state of
11 Minnesota, the department of transportation may not issue any special group plates
12 under par. (f) 59. unless the department of transportation purchases the plates from
13 the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765,
14 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the
15 state of Minnesota.

16 **SECTION 4.** 341.14 (6r) (b) 15. of the statutes is created to read:

17 341.14 **(6r)** (b) 15. Subject to sub. (10) (d), a fee of \$25 that is in addition to the
18 fee under subd. 2. shall be charged for the issuance or renewal of a plate issued on
19 an annual basis for the special group specified under par. (f) 62. Subject to sub. (10)
20 (d), a fee of \$50 that is in addition to the fee under subd. 2. shall be charged for the
21 issuance or renewal of a plate issued on a biennial basis for the special group
22 specified under par. (f) 62. if the plate is issued or renewed during the first year of
23 the biennial registration period or \$25 for the issuance or renewal if the plate is
24 issued or renewed during the 2nd year of the biennial registration period. All moneys
25 received under this subdivision in excess of \$23,700 or of the initial cost of production

BILL**SECTION 4**

1 of the special group plate under par. (f) 62., whichever is less, shall be deposited into
2 the general fund and credited to the appropriation under s. 20.395 (5) (ei). To the
3 extent permitted under ch. 71, the fee under this subdivision is deductible as a
4 charitable contribution for purposes of the taxes under ch. 71.

5 **SECTION 5.** 341.14 (6r) (f) 62. of the statutes is created to read:

6 341.14 (6r) (f) 62. Persons interested in obtaining a plate supporting the
7 Wisconsin Chapter of the Amyotrophic Lateral Sclerosis Association.

8 **SECTION 6.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

9 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
10 may only be special groups designated by the department under this paragraph. The
11 authorized special groups enumerated in par. (f) shall be limited solely to those
12 special groups specified under par. (f) on October 1, 1998. This subdivision does not
13 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
14 15m., 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m.,
15 and 61r., and 62.

16 **SECTION 7.** 341.14 (10) of the statutes is created to read:

17 341.14 (10) (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
18 (ei), the department shall make payments to the ALS Association, Wisconsin
19 Chapter.

20 (b) For each year in which the department makes payments under par. (a), the
21 ALS Association, Wisconsin Chapter, shall submit to the presiding officer of each
22 house of the legislature an audited financial statement of its use of the payments
23 under this subsection, prepared in accordance with generally accepted accounting
24 principles.

BILL

1 (c) The department shall discontinue payments to the ALS Association,
2 Wisconsin Chapter, under this subsection if the ALS Association, Wisconsin Chapter,
3 dissolves, becomes insolvent, files a petition for bankruptcy, or is no longer exempt
4 from taxation under section 501 (a) of the Internal Revenue Code.

5 (d) 1. If the special group plates under sub. (6r) (f) 62. will display any logo,
6 trademark or service mark, trade name, or other commercial symbol associated with
7 the ALS Association, the department may not issue any plates under sub. (6r) (f) 62.
8 unless the approval specified in sub. (6r) (b) 1. for these plates provides for all of the
9 following:

10 a. That the approval is irrevocable with respect to all plates issued for vehicles
11 after the plates are issued for these vehicles.

12 b. That, if the approval is withdrawn, the department may continue to renew
13 the registration of vehicles previously issued plates under sub. (6r) (f) 62., without
14 replacing those plates, but the department shall discontinue charging the fee
15 specified in sub. (6r) (b) 15. with respect to these renewals.

16 2. Notwithstanding sub. (6r) (b) 1. and (f) (intro.), if the approval specified in
17 sub. (6r) (b) 1. for plates issued under sub. (6r) (f) 62. is withdrawn, the department
18 shall discontinue issuing plates under sub. (6r) (f) 62. unless additional approval, as
19 specified in sub. (6r) (b) 1. and this paragraph, is obtained by the department.

20 **SECTION 8. Nonstatutory provisions.**

21 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
22 effect in fiscal year 2014–15, in submitting information under section 16.42 of the
23 statutes for purposes of the 2015–17 biennial budget bill, the department of
24 transportation shall submit information concerning the appropriation under section
25 20.395 (5) (cq) of the statutes as though the total amount appropriated under section

BILL**SECTION 8**

1 20.395 (5) (cq) of the statutes for the 2014-15 fiscal year was \$23,700 less than the
2 total amount that was actually appropriated under section 20.395 (5) (cq) of the
3 statutes for the 2014-15 fiscal year.

4 **SECTION 9. Fiscal changes.**

5 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
6 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
7 affected by the acts of 2013, the dollar amount is increased by \$23,700 for the fiscal
8 year in which this subsection takes effect to increase funding for special registration
9 plates associated with the ALS Association, Wisconsin Chapter.

10 **SECTION 10. Effective date.**

11 (1) This act takes effect on the first day of the 7th month beginning after
12 publication.

13 (END)